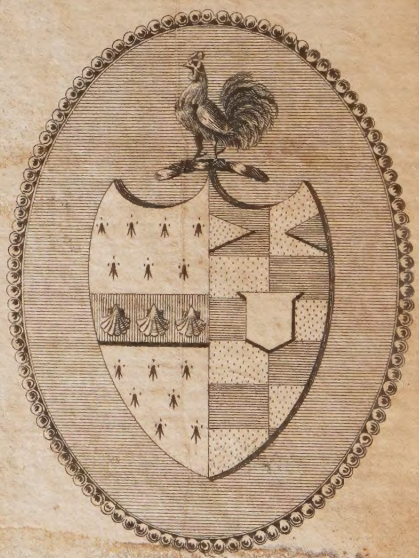

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THE HISTORY OF SCOTLAND.

VOL. II.

THE

HISTORY

OF

SCOTLAND

DURING THE REIGNS OF

QUEEN MARY and of KING JAMES VI.

TILL

His ACCESSION to the Crown of ENGLAND.

WITH A

REVIEW of the SCOTTISH HISTORY previous to that Period;

And an APPENDIX containing ORIGINAL PAPERS.

IN TWO VOLUMES.

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PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

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THE HISTORY OF SCOTLAND.

BOOK VI.

THE unexpected blow, by which the Regent was cut off, struck the King's party with the utmost consternation. Elizabeth bewailed his death as the most fatal disaster which could have befallen her kingdom; and was inconsolable to a degree that little suited her dignity. Mary's adherents exulted, as if, now, her restoration were not only certain, but near at hand. The infamy of the crime naturally fell on those who expressed such indecent joy at the commission of it; and as the assassin made his escape on a horse which belonged to Lord Claud Hamilton, and fled directly to Hamilton, where he was received in triumph, it was concluded that the Regent had fallen a sacrifice to the resentment of the Queen's party, rather than to the revenge of a private man. On the day after the

BOOK VI.

1570. Disorders occasioned by the Regent's death.

 murder,

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murder, Scott of Buccleugh, and Ker of Fernihersť, both zealous abettors of the Queen's cauſe, entered England in an hoſtile manner, and plundered and burnt the country, the inhabitants of which expected no ſuch outrage. If the Regent had been alive, they would ſcarce have ventured on ſuch an irregular incurſion, nor could it well have happened ſo ſoon after his death, unleſs they had been privy to the crime.

THIS was not the only irregularity to which the anarchy that followed the Regent's death gave occaſion. During ſuch general confuſion, men hoped for univerſal impunity, and broke out into exceſſes of every kind. As it was impoſſible to reſtrain theſe, without a ſettled form of government, a Convention of the nobles was held, in order to deliberate concerning the election of a Regent. The Queen's adherents refuſed to be preſent at the meeting, and proteſted againſt its proceedings. The King's own party was irreſolute, and divided in opinion. Maitland, whom Kirkaldy had ſet at liberty, and who obtained from the nobles then aſſembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by propoſing to admit the Queen to the joint adminiſtration of government with her ſon. Elizabeth adhering to her ancient ſyſtem with regard to Scottiſh affairs, laboured, notwithſtanding the ſolicitations of Mary's friends[a], to multiply, and to perpetuate

Steps taken towards electing another Regent. Feb. 12.

[a] See Appendix, No. I.

the

the factions, which tore in pieces the kingdom. Randolph, whom she dispatched into Scotland on the first news of the Regent's death, and who was her usual agent for such services, found all parties so exasperated by mutual injuries, and so full of irreconcilable rancour, that it cost him little trouble to inflame their animosity. The Convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited, was appointed on the first of May[b].

A coalition of parties attempted in vain.

MEANTIME, Maitland and Kirkaldy, who still continued to acknowledge the King's authority, were at the utmost pains to restore some degree of harmony among their countrymen. They procured for this purpose, an amicable conference among the leaders of the two factions. But while the one demanded the restoration of the Queen, as the only thing which could re-establish the public tranquillity; while the other esteemed the King's authority to be so sacred, that it was, on no account, to be called in question or impaired; and neither of them would recede in the least point from their opinions, they separated without any prospect of concord. Both were rendered more averse from reconcilement, by the hope of foreign aid. An envoy arrived from France with promises of powerful succour to the Queen's adherents; and as the civil wars in that kingdom seemed to be on the point of terminating in peace, it was expected that Charles would soon be at

[b] Crawf. Mem. 131. Calderw. ii. 157.

BOOK VI. 1570.

liberty to fulfil what he promiſed. On the other hand, the Earl of Suſſex was aſſembling a powerful army on the borders, and its operations could not fail of adding ſpirit and ſtrength to the King's party [c].

Queen's party in poſſeſſion of Edinburgh.

THOUGH the attempt towards a coalition of the factions proved ineffectual, it contributed ſomewhat to moderate, or ſuſpend their rage; but they ſoon began to act with their uſual violence. Morton, the moſt vigilant and able leader on the King's ſide, ſolicited Elizabeth to interpoſe, without delay, for the ſafety of a party, ſo devoted to her intereſt, and which ſtood ſo much in need of her aſſiſtance. The Chiefs of the Queen's faction, aſſembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both Governor of the Caſtle and Provoſt of the town, prevailed on the citizens, though with ſome difficulty, to admit them within the gates. Together with Kirkaldy, the Earl of Athole, and Maitland, acceded almoſt openly to their party; and the Duke and Lord Herries, having recovered liberty by Kirkaldy's favour, reſumed the places which they had formerly held in their councils. Encouraged by the acquiſition of perſons, ſo illuſtrious by their birth, or ſo eminent for their abilities, they publiſhed a proclamation, declaring their intention to ſupport the Queen's authority, and ſeemed reſolved not to leave the city before the meeting of the approaching Convention, in which, by their numbers and influence, they did

April 10.

[c] Crawf. Mem. 134.

not

not doubt of ſecuring a majority of voices on their ſide[d].

1570. Endeavour to involve the nation in a war with England.

At the ſame time, they had formed a deſign of kindling war between the two kingdoms. If they could engage them in hoſtilities, and revive their ancient emulation and antipathy, they hoped, not only to diſſolve a confederacy of great advantage to the King's cauſe, but to reconcile their countrymen to the Queen, Elizabeth's natural and moſt dangerous rival. With this view, they had, immediately after the murder of the Regent, prompted Scott and Ker to commence hoſtilities, and had ſince inſtigated them to continue and extend their depredations. As Elizabeth foreſaw, on the one hand, the dangerous conſequences of rendering this a national quarrel; and reſolved, on the other, not to ſuffer ſuch an inſult on her government to paſs with impunity; ſhe iſſued a proclamation, declaring that ſhe imputed the outrages which had been committed on the borders, not to the Scottiſh nation, but to a few deſperate and ill-deſigning perſons; that, with the former, ſhe was reſolved to maintain an inviolable friendſhip, whereas the duty which ſhe owed to her own ſubjects obliged her to chaſtiſe the licentiouſneſs of the latter[e]. Suſſex and Scroop, accordingly, entered Scotland, the one on the eaſt, the other on the weſt borders, and laid waſte the adjacent countries with fire and ſword[f]. Fame magnified the number and progreſs of their troops, and Mary's adherents, not thinking themſelves

[d] Crawf. Mem. 137. Calderw. ii. 176.
[e] Calderw. ii. 181. [f] Cabala, 174.

BOOK VI.

1570. April 28. safe in Edinburgh, the inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, by a public proclamation, they asserted the Queen's authority, and forbad giving obedience to any, but the Duke, or the Earls of Argyll and Huntly, whom she had constituted her Lieutenants in the kingdom.

King's party enter Edinburgh. May 1. THE nobles who continued faithful to the King, though considerably weakened by the defection of so many of their friends, assembled at Edinburgh on the day appointed. They issued a counter-proclamation, declaring such as appeared for the Queen, enemies of their country; and charging them with the murder both of the late King and of the Regent. They could not, however, presume so much on their own strength as to venture either to elect a Regent, or to take the field against the Queen's party; but the assistance which they received from Elizabeth, enabled them to do both. By her order, Sir William Drury marched into Scotland, with a thousand foot and three hundred horse; the King's adherents joined him with a considerable body of troops, and advancing towards Glasgow, where the adverse party had already begun hostilities by attacking the castle, they forced them to retire, plundered the neighbouring country, which belonged to the Hamiltons, and, after seizing some of their castles, and razing others, returned to Edinburgh.

Motives of Elizabeth's conduct with regard to them. UNDER Drury's protection, the Earl of Lennox returned into Scotland. It was natural to commit the government of the kingdom to him,

during the minority of his grandſon. His illuſtrious birth, and alliance with the royal family of England, as well as of Scotland, rendered him worthy of that honour. His reſentment againſt Mary being implacable, and his eſtate lying in England, and his family reſiding there, Elizabeth conſidered him as a man who, both from inclination and from intereſt, would act in concert with her, and ardently wiſhed that he might ſucceed Murray in the office of Regent. But, on many accounts, ſhe did not think it prudent to diſcover her own ſentiments, or to favour his pretenſions too openly. The civil wars in France, which had been excited by a pretended zeal for religion, and carried on with a fierceneſs that did it real diſhonour, appeared now to be on the point of coming to an iſſue; and after ſhedding the beſt blood, and waſting the richeſt provinces in the kingdom, both parties deſired peace with an ardour that facilitated the negotiations which were carrying on for that purpoſe. Charles IX. was known to be a paſſionate admirer of Mary's beauty. Nor could he, in honour, ſuffer a Queen of France, and the moſt ancient ally of his crown, to languiſh in her preſent cruel ſituation, without attempting to procure her relief. He had, hitherto, been obliged to ſatisfy himſelf with remonſtrating, by his ambaſſadors, againſt the indignity with which ſhe had been treated. But if he were once at full liberty to purſue his inclinations, Elizabeth would have every thing to dread from the impetuoſity of his temper, and the power of his arms. It therefore became ne-

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ceſſary for her to act with ſome reſerve, and not to appear, avowedly, to countenance the choice of a Regent, in contempt of Mary's authority. The jealouſy and prejudices of the Scots required no leſs management. Had ſhe openly ſupported Lennox's claim; had ſhe recommended him to the Convention, as the candidate of whom ſhe approved; this might have rouſed the independent ſpirit of the nobles, and by too plain a diſcovery of her intention, ſhe might have defeated its ſucceſs. For theſe reaſons, ſhe heſitated long, and returned ambiguous anſwers to all the meſſages which ſhe received from the King's party. A more explicit declaration of her ſentiments was at laſt obtained, and an event of an extraordinary nature ſeems to have been the occaſion of it. Pope Pius V. having iſſued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and abſolved her ſubjects from their oath of allegiance, Felton, an Engliſhman, had the boldneſs to fix it on the gates of the Biſhop of London's palace. In former ages, a Pope, moved by his own ambition, or pride, or bigotry, denounced this fatal ſentence againſt the moſt powerful monarchs; but as the authority of the court of Rome was now leſs regarded, its proceedings were more cautious; and it was only when they were rouſed by ſome powerful Prince, that the thunders of the church were ever heard. Elizabeth, therefore, imputed this ſtep, which the Pope had taken, to a combination of the Roman Catholic Princes againſt her, and ſuſpected that ſome plot was formed in favour of the

the Scottiſh Queen. In that event, ſhe knew that the ſafety of her own kingdom depended on preſerving her influence in Scotland; and in order to ſtrengthen this, ſhe renewed her promiſes of protecting the King's adherents, encouraged them to proceed to the election of a Regent, and even ventured to point out the Earl of Lennox, as the perſon who had the beſt title. That honour was accordingly conferred upon him, in a Convention of the whole party, held on the 12th of July[g].

Lennox elected Regent.

The Regent's firſt care was to prevent the meeting of the Parliament, which the Queen's party had ſummoned to convene at Linlithgow. Having effected that, he marched againſt the Earl of Huntly, Mary's Lieutenant in the North, and forced the garriſon which he had placed in Brechin, to ſurrender at diſcretion. Soon after, he made himſelf maſter of ſome other caſtles. Emboldened by this ſucceſsful beginning of his adminiſtration, as well as by the appearance of a conſiderable army, with which the Earl of Suſſex hovered on the borders, he deprived Maitland of his office of Secretary, and proclaimed him, the Duke, Huntly, and other leaders of the Queen's party, traitors and enemies of their country[h].

Mary's adherents negotiate with Spain.

In this deſperate ſituation of their affairs, the Queen's adherents had recourſe to the King of Spain[i], with whom Mary had held a cloſe correſpondence ever ſince her confinement in Eng-

[g] Spotſw. 240. Cald. ii. 186. See Append. No. II.
[h] Crawf. Mem. 159. Cald. ii. 198.
[i] See Append. No. III.

land.

BOOK VI.

1570.

land. They prevailed on the Duke of Alva to send two of his officers to take a view of the country, and to examine its coasts and harbours; and obtained from him a small supply of money and arms, which were sent to the Earl of Huntly[k]. But this aid, so disproportionate to their exigencies, would have availed them little. They were indebted for their safety to a treaty, which Elizabeth was carrying on, under colour of restoring the captive Queen to her throne. The first steps in this negotiation had been taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman Catholics and Hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his sister-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the solicitations of foreign ambassadors in her favour, and seemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a cessation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused, for some time, to come into this measure. It was not safe for him, however, to dispute the will of his protectress. A cessation of

Elizabeth proposes a treaty of accommodation between Mary and her subjects.

[k] Anders. iii. 122. Crawf. Mem. 153.

hostilities

hoſtilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the firſt of April next year[1]. BOOK VI. 1570.

Soon after, Elizabeth diſpatched Cecil and Sir Walter Mildmay to the Queen of Scots. The dignity of theſe ambaſſadors, the former her prime Miniſter, the latter Chancellor of the Exchequer, and one of her ableſt counſellors, convinced all parties that the negotiation was ſerious, and that the hour of Mary's liberty was now approaching. The propoſitions which they made to her, were advantageous to Elizabeth, but ſuch as a Prince, in Mary's ſituation, had reaſon to expect. The ratification of the treaty of Edinburgh; the renouncing any pretenſions to the Engliſh Crown, during Elizabeth's own life, or that of her poſterity; the adhering to the alliance between the two kingdoms; the pardoning her ſubjects who had taken arms againſt her; and her promiſing to hold no correſpondence, and to countenance no enterpriſe, that might diſturb Elizabeth's government; were among the chief articles. By way of ſecurity for the accompliſhment of theſe, they demanded that ſome perſons of rank ſhould be given as hoſtages, that the Prince her ſon ſhould reſide in England, and that a few caſtles on the border ſhould be put into Elizabeth's hands. To ſome of theſe propoſitions Mary conſented; ſome ſhe endeavoured to mitigate; and others ſhe attempted to evade. In the mean time,

[1] Spotſw. 243.

ſhe

BOOK VI. 1570.

she transmitted copies of them to the Pope, to the Kings of France and Spain, and to the Duke of Alva. She insinuated, that without some timely and vigorous interposition in her behalf, she would be obliged to accept of these hard conditions, and to purchase liberty at any price. But the Pope was a distant and feeble ally, and by his great efforts at this time against the Turks, his treasury was entirely exhausted. Charles had already begun to meditate that conspiracy against the Hugonots, which marks his reign with such infamy; and it required much leisure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired so much renown to the Christian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an insurrection; and his subjects in the Netherlands, provoked by much oppression and many indignities, were breaking out into open rebellion. All of them, for these different reasons, advised Mary, without depending on their aid, to conclude the treaty on the best terms she could procure [m].

Elizabeth's artifices in the conduct of it.

MARY, accordingly, consented to many of Elizabeth's demands, and discovered a facility of disposition, which promised still further concessions. But no concession she could have made, would have satisfied Elizabeth, who, in spite of her repeated professions of sincerity to foreign ambassadors, and notwithstanding the solemnity

[m] Anders. vol. iii. 119, 120.

with

with which she carried on the treaty, had no other object in it, than to amuse Mary's allies, and to gain time[n]. After having so long treated a Queen, who fled to her for refuge, in so ungenerous a manner, she could not now dismiss her with safety. Under all the disadvantages of a rigorous confinement, Mary had found means to excite commotions in England, which were extremely formidable. What desperate effects of her just resentment might be expected, if she were set at liberty, and recovered her former power? What engagements could bind her, not to revenge the wrongs which she had suffered, nor to take advantage of the favourable conjunctures that might present themselves? Was it possible for her to give such security for her behaviour, in times to come, as might remove all suspicions and fears? And was there not good cause to conclude, that no future benefits could ever obliterate the memory of past injuries? It was thus Elizabeth reasoned; though she continued to act as if her views had been entirely different. She appointed seven of her privy counsellors to be commissioners for settling the articles of the treaty; and, as Mary had already named the Bishops of Ross and Galloway, and Lord Levingston, for her ambassadors, she required the Regent to impower proper persons to appear in behalf of the King. The Earl of Morton, Pitcairn abbot of Dunfermling, and Sir James Macgill were the persons chosen by the Regent. They prepared

1570.

1571.

[n] Digges, Compl. Amb. 78.

for

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1571.

for their journey as slowly as Elizabeth herself could have wished. At length they arrived at London, and met the commissioners of the two Queens.

Feb. 19.

Mary's ambassadors discovered the strongest inclination to comply with every thing that would remove the obstacles which stood in the way of their mistress's liberty. But when Morton and his associates were called upon to vindicate their conduct, and to explain the sentiments of their party, they began, in justification of their treatment of the Queen, to advance such maxims concerning the limited powers of Princes, and the natural right of subjects to resist and to controul them, as were extremely shocking to Elizabeth, whose notions of regal prerogative, as has been formerly observed, were very exalted. With regard to the authority which the King now possessed, they declared that they neither had, nor could possibly receive instructions, to consent to any treaty, that tended to subvert, or even to impair it in the least degree[o]. Nothing could be more trifling and ridiculous, than such a reply from the commissioners of the King of Scots to the Queen of England. His party depended absolutely on her protection, her hand had seated him on the throne, and to her power he owed the continuance of his reign. With the utmost ease she could have brought them to hold very different language; and whatever conditions she might have thought fit to prescribe, they would have had no other choice but to submit.

[o] Cald. ii. 234. Digges, 51. Haynes, 523, 524.

This

This declaration, however, she affected to consider as an insuperable difficulty; and finding that there was no reason to dread any danger from the French King, who had not discovered that eagerness in support of Mary, which was expected; the reply made by Morton furnished her with a pretence for putting a stop to the negotiation, until the Regent should send ambassadors with more ample powers. Thus, after being amused for ten months with the hopes of liberty, the unhappy Queen of Scots remained under stricter custody than ever, and without any prospect of escaping from it; while those subjects, who still adhered to her, were exposed, without ally or protector, to the rage of enemies, whom their success in this negotiation rendered still more insolent[p].

1571. It proves fruitless.

March 24.

On the day after the expiration of the truce, which had been observed with little exactness on either side, Captain Crawford of Jordan-hill, a gallant and enterprising officer, performed a service of great importance to the Regent, by surprising the castle of Dunbarton. This was the only fortified place in the kingdom, of which the Queen had kept possession, ever since the commencement of the civil wars. Its situation on the top of an high and almost inaccessible rock, which rises in the middle of a plain, rendered it extremely strong, and, in the opinion of that age, impregnable; as it commanded the river Clyde, it was of great consequence, and was deemed the most proper place in the kingdom

Dunbarton castle surprised by the Regent.

[p] And. iii. 91, &c.

for

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for landing any foreign troops that might come to Mary's aid. The ſtrength of the place rendered Lord Fleming, the governor, more ſecure than he ought to have been, conſidering its importance. A ſoldier, who had ſerved in the garriſon, and had been diſguſted by ſome ill uſage, propoſed the ſcheme to the Regent, endeavoured to demonſtrate that it was practicable, and offered himſelf to go the foremoſt man on the enterpriſe. It was thought prudent to riſk any danger for ſo great a prize. Scaling-ladders, and whatever elſe might be neceſſary, were prepared with the utmoſt ſecrecy and diſpatch. All the avenues to the caſtle were ſeized, that no intelligence of the deſign might reach the governor. Towards evening, Crawford marched from Glaſgow, with a ſmall but determined band. By midnight, they arrived at the bottom of the rock. The moon was ſet, and the ſky, which hitherto had been extremely clear, was covered with a thick fog. It was where the rock was higheſt, that the aſſailants made their attempt, becauſe in that place there were few centinels, and they hoped to find them leaſt alert. The firſt ladder was ſcarcely fixed, when the weight and eagerneſs of thoſe who mounted, brought it to the ground. None of the aſſailants were hurt by the fall, and none of the garriſon alarmed at the noiſe. Their guide and Crawford ſcrambled up the rock, and faſtened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmoſt difficulty, but were ſtill at a great diſtance from the foot of the wall. Their ladder

was

1571.

was made fast a second time; but in the middle of the ascent, they met with an unforeseen difficulty. One of their companions was seized with some sudden fit, and clung, seemingly without life, to the ladder. All were at a stand. It was impossible to pass him. To tumble him headlong was cruel; and might occasion a discovery. But Crawford's presence of mind did not forsake him. He ordered the soldier to be bound fast to the ladder, that he might not fall when the fit was over: and turning the other side of the ladder, they mounted, with ease, over his belly. Day now began to break, and there still remained a high wall to scale; but after surmounting so many great difficulties, this was soon accomplished. A sentry observed the first man who appeared on the parapet, and had just time to give the alarm, before he was knocked on the head. The officers and soldiers of the garrison ran out naked, unarmed, and more solicitous about their own safety, than capable of making resistance. The assailants rushed forwards, with repeated shouts, and with the utmost fury; took possession of the magazine; seized the cannon; and turned them against their enemies. Lord Fleming got into a small boat, and fled all alone into Argyleshire. Crawford, in reward of his valour and good conduct, remained master of the castle; and as he did not lose a single man in the enterprise, he enjoyed his success with unmixed pleasure. Lady Fleming, Verac the French Envoy, and Hamilton Archbishop of St. Andrews, were the prisoners of greatest distinction[q].

[q] Buch. 394.

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1571. Archbishop of St. Andrew's put to death by him.

Verac's character protected him from the usage which he merited by his activity in stirring up enemies against the King. The Regent treated the lady with great politeness and humanity. But a very different fate awaited the Archbishop; he was carried under a strong guard to Stirling; and as he had formerly been attainted by act of Parliament, he was, without any formal trial, condemned to be hanged; and on the fourth day after he was taken, the sentence was executed. An attempt was made to convict him of being accessary to the murder both of the King and Regent, but these accusations were supported by no proof. Our historians observe, that he was the first Bishop in Scotland who died by the hands of the executioner. The high offices he had enjoyed, both in church and state, ought to have exempted him from a punishment inflicted only on the lowest criminals. But his zeal for the Queen, his abilities, and his profession, rendered him odious and formidable to the King's adherents. Lennox hated him as the person by whose counsels the reputation and power of the house of Hamilton were supported. Party rage, and personal enmity, dictated that indecent sentence, for which some colour was sought, by imputing to him such odious crimes[r].

Kirkaldy defends the castle of Edinburgh in the Queen's name.

The loss of Dunbarton, and the severe treatment of the Archbishop, perplexed no less than they enraged the Queen's party; and hostilities were renewed with all the fierceness which disappointment and indignation can inspire. Kirk-

[r] Spotsw. 252.

aldy,

aldy, who, during the truce, had taken care to increaſe the number of his garriſon, and to provide every thing neceſſary for his defence, iſſued a proclamation declaring Lennox's authority to be unlawful and uſurped; commanded all who favoured his cauſe to leave the town within ſix hours; ſeized the arms belonging to the citizens; planted a battery on the ſteeple of St Giles, repaired the walls, and fortified the gates of the city; and, though the affections of the inhabitants leaned a different way, held out the metropolis againſt the Regent. The Duke, Huntly, Home, Herries, and other chiefs of that faction, repaired to Edinburgh with their followers; and having received a ſmall ſum of money, and ſome ammunition from France, formed no contemptible army within the walls. On the other ſide, Morton ſeized Leith, and fortified it; and the Regent joined him with a conſiderable body of men. While the armies lay ſo near each other, daily ſkirmiſhes happened, and with various ſucceſs. The Queen's party was not ſtrong enough to take the field againſt the Regent, nor was his ſuperiority ſo great as to undertake the ſiege of the caſtle, or of the town[s].

1571.

Both parties hold parliaments, May 14.

Some time before Edinburgh fell into the hands of his enemies, the Regent had ſummoned a parliament to meet in that place. In order to prevent any objection againſt the lawfulneſs of the meeting, the members obeyed the proclamation as exactly as poſſible; and aſſembled in a houſe

[s] Cald. ii. 233, &c.

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1571.

at the head of the Canongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himſelf to the utmoſt to interrupt their meeting; but they were ſo ſtrongly guarded, that all efforts were vain. They paſſed an act attainting Maitland and a few others, and then adjourned to the 28th of Auguſt[t].

THE other party, in order that their proceedings might be countenanced by the ſame ſhew of legal authority, held a meeting of parliament ſoon after. There was produced in this aſſembly a declaration by the Queen, of the invalidity of that deed whereby ſhe had reſigned the Crown, and conſented to the coronation of her ſon. Conformable to this declaration, an act was paſſed, pronouncing the reſignation to have been extorted by fear; to be null in itſelf, and in all its conſequences; and enjoining all good ſubjects to acknowledge the Queen alone to be their lawful Sovereign, and to ſupport thoſe who acted in her name. The preſent eſtabliſhment of the Proteſtant religion was confirmed by another ſtatute; and, in imitation of the adverſe party, a new meeting was appointed on the 26th of Auguſt[u].

Miſerable condition of the kingdom.

MEANWHILE, all the miſeries of civil war deſolated the kingdom. Fellow-citizens, friends, brothers, took different ſides, and ranged themſelves under the ſtandards of the contending factions. In every county, and almoſt in every town and village, *King's men* and *Queen's men* were names of diſtinction. Political hatred diſſolved all natural

[t] Crawf. Mem. 177. [u] Id. Ibid.

ties,

ties, and extinguiſhed the reciprocal good-will and confidence which hold mankind together in ſociety. Religious zeal mingled itſelf with theſe civil diſtinctions, and contributed not a little to heighten and to inflame them. 1571.

State of factions.

THE factions which divided the kingdom were, in appearance, only two. But, in both theſe, there were perſons with views and principles ſo different from each other, that they ought to be diſtinguiſhed. With ſome, conſiderations of religion were predominant, and they either adhered to the Queen, becauſe they hoped, by her means, to re-eſtabliſh Popery, or they defended the King's authority, as the beſt ſupport of the Proteſtant faith. Among theſe the oppoſition was violent and irreconcilable. Others were influenced by political motives only, or allured by views of intereſt; the Regent aimed at uniting theſe, and did not deſpair of gaining, by gentle arts, many of Mary's adherents to acknowledge the King's authority. Maitland and Kirkaldy had formed the ſame deſign of a coalition, but on ſuch terms, that the Queen might be reſtored to ſome ſhare in the government, and the kingdom ſhake off its dependence upon England. Morton, the ableſt, the moſt ambitious, and the moſt powerful man of the King's party, held a particular courſe; and moving only as he was prompted by the court of England, thwarted every meaſure that tended towards a reconcilement of the factions; and as he ſerved Elizabeth with much fidelity, he derived both power and credit from her avowed protection.

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1571. THE time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two biſhops appeared in that which was held in the Queen's name at Edinburgh. But, contemptible as their numbers were, they paſſed an act for attainting upwards of two hundred of the adverſe faction. The meeting at Stirling was numerous and ſplendid. The Regent had prevailed on the Earls of Argyll, Eglinton, Caſſils, and Lord Boyd, to acknowledge the King's authority. The three Earls were among the moſt powerful noblemen in the kingdom, and had hitherto been zealous in the Queen's cauſe. Lord Boyd had been one of Mary's commiſſioners at York and Weſtminſter, and, ſince that time, had been admitted into all her moſt ſecret councils. But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied ſo often, that the ſenſe of honour, a chief preſervative of conſiſtence in character, was entirely loſt; and, without any regard to decorum, men ſuddenly abandoned one party, and adopted all the violent paſſions of the other. The defection, however, of ſo many perſons of diſtinction not only weakened the Queen's party, but added reputation to her adverſaries.

The King's party ſurpriſed in Stirling.

AFTER the example of the parliament at Edinburgh, that at Stirling began with framing acts againſt the oppoſite faction. But in the midſt of all the ſecurity, which confidence in their own numbers, or diſtance from danger could inſpire, they were awakened, early one morning, by the ſhouts

1571. Sept. 3.

ſhouts of the enemy in the heart of the town. In a moment the houſes of every perſon of diſtinction were ſurrounded, and before they knew what to think of ſo ſtrange an event, the Regent, the Earls of Argyll, Morton, Glencairn, Caſſils, Eglinton, Montroſe, Buchan, the Lords Sempil, Cathcart, Ogilvie, were all made priſoners, and mounted behind troopers, who were ready to carry them to Edinburgh. Kirkaldy was the author of this daring enterpriſe; and if he had not been induced by the ill-timed ſolicitude of his friends about his ſafety, not to hazard his own perſon in conducting it, that day might have terminated the conteſt between the two factions, and have reſtored peace to his country. By his direction, four hundred men, under the command of Huntly, Lord Claud Hamilton, and Scott of Buccleugh, ſet out from Edinburgh, and, the better to conceal their deſign, marched towards the ſouth. But they ſoon wheeled to the right, and horſes having been provided for the infantry, rode ſtraight to Stirling. By four in the morning, they arrived there; not one ſentry was poſted on the walls, not a ſingle man was awake about the place. They met with no reſiſtance from any perſon whom they attempted to ſeize, except Morton. He defending his houſe with obſtinate valour, they were obliged to ſet it on fire, and he did not ſurrender till forced out of it by the flames. In performing this, ſome time was conſumed; and the private men, unaccuſtomed to regular diſcipline, left their colours, and began to rifle the houſes and ſhops of the citizens. The

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noiſe and uproar of the town reached the caſtle. The Earl of Mar ſallied out with thirty ſoldiers; fired briſkly upon the enemy, of whom almoſt none but the officers kept together in a body. The townſmen took arms to aſſiſt their governor; a ſudden panic ſtruck the aſſailants; ſome fled, ſome ſurrendered themſelves to their own priſoners; and had not the borderers, who followed Scott, prevented a purſuit, by carrying off all the horſes within the place, not a man would have eſcaped. If the Regent had not unfortunately been killed, the loſs on the King's ſide would have been as inconſiderable, as the alarm was great. *Think on the Archbiſhop of St. Andrew's*, was the word among the Queen's ſoldiers; and Lennox fell a ſacrifice to his memory. The officer, to whom he ſurrendered, endeavouring to protect him, loſt his own life in his defence. He was ſlain, according to the general opinion, by command of Lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great ſecrecy and prudence; but Morton's fortunate obſtinacy, and the want of diſcipline among his own troops, deprived him of ſucceſs, the only thing wanting to render this equal to the moſt applauded military enterpriſes of the kind [x].

The Regent killed.

Mar choſen Regent, Sept. 6.

As ſo many of the nobles were aſſembled, they proceeded, without delay, to the election of a Regent. Argyll, Morton, and Mar, were candidates for the office. Mar was choſen by a majority of voices. Amidſt all the fierce diſſenſions which

[x] Melv. 226. Crawf. Mem. 204.

had

had prevailed so long in Scotland, he had distinguished himself by his moderation, his humanity, and his disinterestedness. As his power was far inferior to Argyll's, and his abilities not so great as Morton's, he was, for these reasons, less formidable to the other nobles. His merit, too, in having so lately rescued the leaders of the party from imminent destruction, contributed not a little to his preferment. 1571.

Proceedings in England against Mary.

While these things were carrying on in Scotland, the transactions in England were no less interesting to Mary, and still more fatal to her cause. The parliament of that kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the Crown during the life of the Queen; to affirm that the title of any other person was better than hers, or to maintain that the parliament had not power to settle and to limit the order of succession. This remarkable statute was intended not only for the security of their own Sovereign, but to curb the restless and intriguing spirit of the Scottish Queen, and her adherents[y].

Marriage negotiated between Elizabeth and the Duke of Anjou.

At this time, a treaty of marriage between Elizabeth and the Duke of Anjou, the French King's brother, was well advanced. Both courts seemed to desire it with equal ardour, and gave out, with the utmost confidence, that it could not fail of taking place. Neither of them, however, wished it success; and they encouraged it for no other end, but because it served to cover

[y] Camd. 436.

or

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or to promote their particular designs. The whole policy of Catherine of Medicis was bent towards the accomplishment of her detestable project for the destruction of the Hugonot chiefs; and by carrying on a negotiation for the marriage of her son with a Princess who was justly esteemed the protectress of that party, by yielding some things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the Protestants in Europe, and to lull asleep the jealousy even of the Hugonots themselves. Elizabeth flattered herself with reaping advantages of another kind. During the dependence of the negotiation, the French could not with decency give any open assistance to the Scottish Queen; if they conceived any hopes of success in the treaty of marriage, they would, of course, interest themselves but coldly in her concerns; Mary herself must be dejected at losing an ally, whom she had hitherto reckoned her most powerful protector; and by interrupting her correspondence with France, one source, at least, of the cabals and intrigues which disturbed the kingdom, would be stopt. Both Queens succeeded in their schemes. Catherine's artifices imposed on Elizabeth, and blinded the Hugonots. The French discovered the utmost indifference about the interest of the Scottish Queen; and Mary, considering that court as already united with her rival, turned for protection, with more eagerness than ever, towards the King of Spain[z]. Philip, whose dark

[z] Digges, 144. 148. Camd. 434.

and

1571. Norfolk's conſpiracy in favour of Mary.

and thoughtful mind delighted in the myſtery of intrigue, had held a ſecret correſpondence with Mary, for ſome time, by means of the Biſhop of Roſs, and had ſupplied both herſelf and her adherents in Scotland with ſmall ſums of money. Ridolphi, a Florentine gentleman, who reſided at London under the character of a banker, and who acted privately as an agent for the Pope, was the perſon whom the Biſhop intruſted with this negotiation. Mary thought it neceſſary, likewiſe, to communicate the ſecret to the Duke of Norfolk, whom Elizabeth had lately reſtored to liberty, upon his ſolemn promiſe to have no further intercourſe with the Queen of Scots. This promiſe, however, he regarded ſo little, that he continued to keep a conſtant correſpondence with the captive Queen; while ſhe laboured to nouriſh his ambitious hopes, and to ſtrengthen his amorous attachment by letters written in the fondeſt careſſing ſtrain. Some of theſe he muſt have received at the very time when he made that ſolemn promiſe of holding no farther intercourſe with her, in conſequence of which Elizabeth reſtored him to liberty. Mary, ſtill conſidering him as her future huſband, took no ſtep in any matter of moment without his advice. She early communicated to him her negociations with Ridolphi; and in a long letter, which ſhe wrote to him in cyphers [a], after complaining of the baſeneſs with which the French court had abandoned her intereſt, ſhe declared her inten-

[a] Haynes, 597, 598. Hardw. State Papers, i. 190, &c. Digges Compleat Ambaſ. 147.

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tion of imploring the assistance of the Spanish Monarch, which was now her only resource; and recommended Ridolphi to his confidence, as a person capable both of explaining and advancing the scheme. The Duke commanded Hickford, his secretary, to decypher, and then to burn this letter; but whether he had been already gained by the court, or resolved at that time to betray his master, he disobeyed the latter part of the order, and hid the letter, together with other treasonable papers, under the Duke's own bed.

Ridolphi, in a conference with Norfolk, omitted none of those arguments, and spared none of those promises, which are the usual incentives to rebellion. The Pope, he told him, had a great sum in readiness to bestow in so good a cause. The Duke of Alva had undertaken to land ten thousand men not far from London. The Catholics to a man would rise in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half the nation had turned their eyes towards him, and called on him to revenge the unmerited injuries which he himself had suffered; and to rescue an unfortunate Queen, who offered him her hand, and her crown, as the reward of his success. Norfolk approved of the design, and though he refused to give Ridolphi any letter of credit, allowed him to use his name in negotiating with the Pope and Alva [b]. The Bishop of Ross, who, from the violence of his temper, and im-

[b] Anders. iii. 161.

patience

patience to procure relief for his miſtreſs, was apt to run into raſh and deſperate deſigns, adviſed the Duke to aſſemble ſecretly a few of his followers, and at once to ſeize Elizabeth's perſon. But this the Duke rejected as a ſcheme equally wild and hazardous. Meanwhile, the Engliſh court had received ſome imperfect information of the plot, by intercepting one of Ridolphi's agents; and an accident happened, which brought to light all the circumſtances of it. The Duke had employed Hickford to tranſmit to Lord Herries, ſome money, which was to be diſtributed among Mary's friends in Scotland. A perſon not in the ſecret was intruſted with conveying it to the borders, and he, ſuſpecting it from the weight to be gold, whereas he had been told that it was ſilver, carried it directly to the Privy Council. The Duke, his domeſtics, and all who were privy, or could be ſuſpected of being privy to the deſign, were taken into cuſtody. Never did the accomplices in a conſpiracy diſcover leſs firmneſs, or ſervants betray an indulgent maſter with greater baſeneſs. Every one confeſſed the whole of what he knew. Hickford gave directions how to find the papers which he had hidden. The Duke himſelf, relying at firſt on the fidelity of his aſſociates, and believing all dangerous papers to have been deſtroyed, confidently aſſerted his own innocence; but when their depoſitions and the papers themſelves were produced, aſtoniſhed at their treachery, he acknowledged his guilt, and implored the Queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and

Diſcovered by Elizabeth. Auguſt.

Sept. 7.

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and Elizabeth thought it neceſſary to deter her ſubjects, by his puniſhment, from holding correſpondence with the Queen of Scots, or her emiſſaries. Being tried by his Peers, he was found guilty of high treaſon, and, after ſeveral delays, ſuffered death for the crime [c].

The diſcovery of this conſpiracy produced many effects, extremely detrimental to Mary's intereſt. The Biſhop of Roſs, who appeared by the confeſſion of all concerned, to be the prime mover in every cabal againſt Elizabeth, was taken into cuſtody, his papers ſearched, himſelf committed to the Tower, treated with the utmoſt rigour, threatened with capital puniſhment, and, after a long confinement, ſet at liberty, on condition that he ſhould leave the kingdom. Mary was not only deprived of a ſervant, equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambaſſador at the Engliſh court. The Spaniſh ambaſſador, whom the power and dignity of the prince he repreſented exempted from ſuch inſults as Roſs had ſuffered, was commanded to leave England [d]. As there was now the cleareſt evidence that Mary, from reſentment of the wrongs ſhe had ſuffered, and impatience of the captivity in which ſhe was held, would not ſcruple to engage in the moſt hoſtile and deſperate enterprizes againſt the eſtabliſhed government and religion, ſhe began to be regarded as a public enemy, and was kept under a ſtricter guard than formerly,

[c] Anderſ. iii. 149. State Trials, 185. [d] Digges, 163.

the

the number of her domeſtics abridged, and no perſon permitted to ſee her, but in preſence of her keepers[e]. 1571.

Elizabeth declares openly againſt the Queen's party.

At the ſame time, Elizabeth, foreſeeing the ſtorm which was gathering on the continent againſt her kingdom, began to wiſh that tranquillity were reſtored in Scotland; and irritated by Mary's late attempt againſt her government, ſhe determined to act, without diſguiſe or ambiguity, in favour of the King's party. This reſolution ſhe intimated to the leaders of both factions. Mary, ſhe told them, had held ſuch a criminal correſpondence with her avowed enemies, and had excited ſuch dangerous conſpiracies both againſt her crown and her life, that ſhe would henceforth conſider her as unworthy of protection, and would never conſent to reſtore her to liberty, far leſs to replace her on her throne. She exhorted them, therefore, to unite in acknowledging the King's authority. She promiſed to procure by her mediation equitable terms for thoſe who had hitherto oppoſed it. But if they ſtill continued refractory, ſhe threatened to employ her utmoſt power to compel them to ſubmit[f]. Though this declaration did not produce an immediate effect; though hoſtilities continued in the neighbourhood of Edinburgh; though Huntly's brother, Sir Adam Gordon, by his bravery and good conduct, had routed the King's adherents in the North in many encounters; yet ſuch an explicit diſcovery of Eli- Oct. 23.

[e] Strype, Ann. ii. 50.

[f] See Append. No. IV.

zabeth's

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zabeth's ſentiments contributed not a little to animate one party, and to depreſs the ſpirit and hopes of the other [g].

Hoſtilities carried on between them.

As Morton, who commanded the Regent's forces, lay at Leith, and Kirkaldy ſtill held out the town and caſtle of Edinburgh, ſcarce a day paſſed without a ſkirmiſh; and while both avoided any deciſive action, they haraſſed each other by attacking ſmall parties, beating up quarters, and intercepting convoys. Theſe operations, though little memorable in themſelves, kept the paſſions of both factions in perpetual exerciſe and agitation, and wrought them up, at laſt, to a degree of fury, which rendered them regardleſs not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and during the heat of combat, that this implacable rage appeared; both parties hanged the priſoners they took, of whatever rank or quality, without mercy, and without trial. Great numbers ſuffered in this ſhocking manner; the unhappy victims were led, by fifties at a time, to execution; and it was not till both ſides had ſmarted ſeverely, that they diſcontinued this barbarous practice, ſo reproachful to the character of the nation [h]. Meanwhile, thoſe in the town and caſtle, though they had received a ſupply of money from the Duke of Alva [i], began to ſuffer for want of proviſions. As Morton had deſtroyed all the mills in the neighbourhood of the city, and had planted ſmall garriſons in all the houſes

[g] Cald. ii. 289. 294. Strype, ii. 76.
[h] Crawf. Mem. 218. 220. [i] Cald. ii. 345.

of

of ſtrength around it, ſcarcity daily increaſed. At laſt all the miſeries of famine were felt, and they muſt have been ſoon reduced to ſuch extremities, as would have forced them to capitulate, if the Engliſh and French ambaſſadors had not procured a ſuſpenſion of hoſtilities between the two parties [k].

League between England and France.

THOUGH the negotiation for a marriage between Elizabeth and the Duke of Anjou had been fruitleſs, both Charles and ſhe were deſirous of concluding a defenſive alliance between the two Crowns. He conſidered ſuch a treaty, not only as the beſt device for blinding the Proteſtants, againſt whom the conſpiracy was now almoſt ripe for execution; but as a good precaution, likewiſe, againſt the dangerous conſequences to which that atrocious meaſure might expoſe him. Elizabeth, who had hitherto reigned without a ſingle ally, now ſaw her kingdom ſo threatened with inteſtine commotions, or expoſed to invaſions from abroad, that ſhe was extremely ſolicitous to ſecure the aſſiſtance of ſo powerful a neighbour. The difficulties ariſing from the ſituation of the Scottiſh Queen, were the chief occaſions of any delay. Charles demanded ſome terms of advantage for Mary and her party. Elizabeth refuſed to liſten to any propoſition of that kind. Her obſtinacy overcame the faint efforts of the French Monarch. Mary's name was not ſo much as mentioned in the treaty; and with regard to Scottiſh affairs, a ſhort article was

[k] Cald. M. 346.

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inſerted, in general and ambiguous terms, to this purpoſe, "That the parties contracting ſhall make no innovations in Scotland; nor ſuffer any ſtranger to enter, and to foment the factions there; but it ſhall be lawful for the Queen of England to chaſtiſe, by force of arms, thoſe Scots who ſhall continue to harbour the Engliſh rebels now in Scotland[1]." In conſequence of this treaty, France and England affected to act in concert with regard to Scotland, and Le Croc, and Sir William Drury, appeared there, in name of their reſpective Sovereigns. By their mediation, a truce for two months was agreed upon, and during that time conferences were to be held between the leaders of the oppoſite factions, in order to accommodate their differences, and reſtore peace to the kingdom. This truce afforded a ſeaſonable interval of tranquillity to the Queen's adherents in the South; but in the North it proved fatal to her intereſt. Sir Adam Gordon had ſtill maintained his reputation and ſuperiority there. Several parties, under different officers, were ſent againſt him. Some of them he attacked in the field; againſt others he employed ſtratagem; and as his courage and conduct were equal, none of his enterpriſes failed of ſucceſs. He made war, too, with the humanity which became ſo gallant a man, and gained ground by that, no leſs than by the terror of his arms. If he had not been obliged, by the truce, to ſuſpend his operations, he would, in all probability, have

[1] Digges, 170. 191. Camd. 444.

brought

brought that part of the kingdom to ſubmit entirely to the Queen's authority [m].

1572. Proceedings in England againſt Mary.

NOTWITHSTANDING Gordon's bravery and ſucceſs, Mary's intereſt was on the decline, not only in her own kingdom, but among the Engliſh. Nothing could be more offenſive to that nation, jealous of foreigners, and terrified at the proſpect of the Spaniſh yoke, than her negotiations with the Duke of Alva. The parliament, which met in May, proceeded againſt her as the moſt dangerous enemy of the kingdom; and after a ſolemn conference between the Lords and Commons, both houſes agreed in bringing in a bill to declare her guilty of high treaſon, and to deprive her of all right of ſucceſſion to the Crown. This *great cauſe*, as it was then called, occupied them during the whole ſeſſion, and was carried on with much unanimity. Elizabeth, though ſhe applauded their zeal, and approved greatly of the courſe they were taking, was ſatisfied with ſhewing Mary what ſhe might expect from the reſentment of the nation; but as ſhe did not yet think it time to proceed to the moſt violent extremity againſt her, ſhe prorogued the parliament [n].

The French neglect her intereſt.

THESE ſevere proceedings of the Engliſh parliament were not more mortifying to Mary, than the coldneſs and neglect of her allies the French. The Duke of Montmorency, indeed, who came over to ratify the league with Elizabeth, made a ſhew of intereſting himſelf in favour of the Scot-

[m] Crawf. Mem. [n] D'Ewes Journ. 206, &c.

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tish Queen; but, instead of soliciting for her liberty, or her restoration to her throne, all that he demanded was a slight mitigation of the rigour of her imprisonment. Even this small request, he urged with so little warmth or importunity, that no regard was paid to it[o].

The massacre of Paris.

THE alliance with France afforded Elizabeth much satisfaction, and she expected from it a great increase of security. She now turned her whole attention towards Scotland, where the animosities of the two factions were still so high, and so many interfering interests to be adjusted, that a general pacification seemed to be at a great distance. But while she laboured to bring them to some agreement, an event happened which filled a great part of Europe with astonishment and with horror. This was the massacre of Paris; an attempt to which there is no parallel in the history of mankind, either for the long train of craft and dissimulation with which it was contrived, or for the cruelty and barbarity with which it was carried into execution. By the most solemn promises of safety and of favour, the leaders of the Protestants were drawn to court; and though doomed to destruction, they were received with caresses, loaded with honours, and treated, for seven months, with every possible mark of familiarity and of confidence. In the midst of their security, the warrant for their de-

August 24. struction was issued by their Sovereign, on whose word they had relied; and, in obedience to it,

[o] Jebb, ii. 512.

their

their countrymen, their fellow-citizens, and companions, imbrued their hands in their blood. Ten thouſand Proteſtants, without diſtinction of age, or ſex, or condition, were murdered in Paris alone. The ſame barbarous orders were ſent to other parts of the kingdom, and a like carnage enſued. This deed, which no Popiſh writer, in the preſent age, mentions without deteſtation, was, at that time, applauded in Spain; and at Rome ſolemn thankſgivings were offered to God for its ſucceſs. But among the Proteſtants, it excited incredible horror; a ſtriking picture of which is drawn by the French Ambaſſador at the court of England, in his account of his firſt audience after the maſſacre. "A gloomy ſorrow, ſays he, ſat on every face; ſilence, as in the dead of night, reigned through all the chambers of the royal apartment; the ladies and courtiers were ranged on each ſide, all clad in deep mourning, and as I paſſed through them, not one beſtowed on me a civil look, or made the leaſt return to my ſalutes[P]."

Detrimental to Mary's intereſt.

But horror was not the only paſſion with which this event inſpired the Proteſtants; it filled them with fear. They conſidered it as the prelude to ſome greater blow, and believed, not without much probability, that all the Popiſh Princes had conſpired the deſtruction of their ſect. This opinion was of no ſmall diſſervice to Mary's affairs in Scotland. Many of her adherents were Proteſtants; and, though they wiſhed her reſtoration,

[P] Carte, iii. 522.

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were not willing, on that account, to facrifice the faith which they profeſſed. They dreaded her attachment to a religion, which allowed its votaries to violate the moſt ſolemn engagements, and prompted them to perpetrate the moſt barbarous crimes. A general confederacy of the Proteſtants ſeemed to them the only thing that could uphold the Reformation againſt the league which was formed to overturn it. Nor could the preſent eſtabliſhment of religion be long maintained in Britain, but by a ſtrict union with Elizabeth, and by the concurrence of both nations, in eſpouſing the defence of it, as a common cauſe [q].

Encouraged by this general diſpoſition to place confidence in her, Elizabeth reſumed a ſcheme which ſhe had formed during the regency of the Earl of Murray, of ſending Mary as a priſoner into Scotland. But her ſentiments and ſituation were now very different from what they had been during her negotiation with Murray. Her animoſity againſt the Queen of Scots was greatly augmented, by recent experience of her inclination as well as power not only to diſturb the tranquillity of her reign, but to wreſt from her the crown; the party in Scotland favourable to Mary, was almoſt entirely broken; there was no reaſon to dread any danger from France, which ſtill continued to court her friendſhip. She aimed, accordingly, at ſomething very different from that which ſhe had in view three

[q] Digges, 244. 267.

years

years before. Then she discovered a laudable solicitude not only for the safety of Mary's life, but for securing to her, treatment suited to her rank. Now she required, as an express condition, that, immediately after Mary's arrival in Scotland, she should be brought to public trial; and having no doubt that sentence would be passed according to her deserts, she insisted that, for the good of both kingdoms, it should be executed without delay[r]. No transaction, perhaps, in Elizabeth's reign, merits more severe censure. Eager to cut short the days of a rival, the object both of her hatred and dread, and no less anxious to avoid the blame to which such a deed of violence might expose her, she laboured, with timid and ungenerous artifice, to transfer the odium of it from herself to Mary's own subjects. The Earl of Mar, happily for the honour of his country, had more virtue than to listen to such an ignominious proposal; and Elizabeth did not venture to renew it.

The Regent endeavours to unite both parties.

While she was engaged in pursuing this insidious measure, the Regent was more honourably employed in endeavouring to negotiate a general peace among his countrymen. As he laboured for this purpose with the utmost zeal, and the adverse faction placed entire confidence in his integrity, his endeavours could hardly have failed of being successful. Maitland and Kirkaldy came so near to an agreement with him, that scarce any thing remained, except the formality

[r] Murdin, 224.

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of signing the treaty. But Morton had not forgotten the disappointment he met with in his pretensions to the Regency; his abilities, his wealth, and the patronage of the court of England, gave him greater sway with the party, than even the Regent himself; and he took pleasure in thwarting every measure pursued by him. He was afraid that, if Maitland and his associates recovered any share in the administration, his own influence would be considerably diminished; and the Regent, by their means, would regain that ascendant which belonged to his station. With him concurred all those who were in possession of the lands which belonged to any of the Queen's party. His ambition, and their avarice, frustrated the Regent's pious intentions, and retarded a blessing so necessary to the kingdom, as the establishment of peace[s].

His death.

Such a discovery of the selfishness and ambition which reigned among his party, made a deep impression on the Regent, who loved his country, and wished for peace with much ardour. This inward grief broke his spirit, and by degrees brought on a settled melancholy, that ended in a distemper, of which he died on the twenty-ninth of October. He was, perhaps, the only person in the kingdom who could have enjoyed the office of Regent without envy, and have left it without loss of reputation. Notwithstanding their mutual animosities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted[t].

[s] Melv. 233. Crawf. Mem. 237. [t] Id. 241.

No

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No competitor now appeared againſt Morton. The Queen of England powerfully ſupported his claim, and notwithſtanding the fears of the people, and the jealouſy of the nobles, he was elected Regent; the fourth, who, in the ſpace of five years, had held that dangerous office.

1572. Morton choſen Regent. Novem.

As the truce had been prolonged to the firſt of January, this gave him an opportunity of continuing the negotiations with the oppoſite party, which had been ſet on foot by his predeceſſor. They produced no effects, however, till the beginning of the next year.

Before we proceed to theſe, ſome events, hitherto untouched, deſerve our notice.

The Earl of Northumberland, who had been kept priſoner in Lochlevin ever ſince his flight into Scotland in the year one thouſand five hundred and ſixty-nine, was given up to Lord Hunſdon, governor of Berwick; and being carried to York, ſuffered there the puniſhment of his rebellion. The King's party were ſo ſenſible of their dependence on Elizabeth's protection, that it was ſcarcely poſſible for them to refuſe putting into her hands a perſon who had taken up arms againſt her. But as a ſum of money was paid on that account, and ſhared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendſhip, the abandoning this unhappy nobleman, in ſuch a manner, to certain deſtruction, was univerſally condemned as a moſt ungrateful and mercenary action [u].

[u] Crawf. Mem. 55. 222. Camd. 445.

This

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1572. Affairs of the church.

THIS year was remarkable for a conſiderable innovation in the government of the Church. Soon after the Reformation, the Popiſh biſhops had been confirmed by law in poſſeſſion of part of their benefices; but the ſpiritual juriſdiction, which belonged to their order, was exerciſed by ſuperintendants, though with more moderate authority. On the death of the Archbiſhop of St. Andrews, Morton obtained from the Crown a grant of the temporalities of that ſee. But as it was thought indecent for a layman to hold a benefice to which the cure of ſouls was annexed, he procured Douglas, rector of the Univerſity of St. Andrews, to be choſen Archbiſhop; and allotting him a ſmall penſion out of the revenues of the ſee, retained the remainder in his own hands. The nobles, who ſaw the advantages they might reap from ſuch a practice, ſupported him in the execution of his plan. It gave great offence, however, to the clergy, who, inſtead of perpetuating an order whoſe name and power was odious to them, wiſhed that the revenues which had belonged to it might be employed in ſupplying ſuch pariſhes as were ſtill unprovided with ſettled paſtors. But, on the one hand, it would have been raſh in the Clergy to have irritated too much noblemen, on whom the very exiſtence of the Proteſtant Church in Scotland depended; and Morton, on the other, conducted his ſcheme with ſuch dexterity, and managed them with ſo much art, that it was, at laſt, agreed, in a convention compoſed of the leading men among the Clergy, together with a committee of privy council, "that

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"that the name and office of Archbiſhop, and Biſhop, ſhould be continued during the King's minority, and theſe dignities be conferred upon the beſt qualified among the Proteſtant Miniſters; but that, with regard to their ſpiritual juriſdictions, they ſhould be ſubject to the general aſſembly of the Church." The rules to be obſerved in their election; and the perſons who were to ſupply the place, and enjoy the privileges, which belonged to the Dean and Chapter in times of Popery, were likewiſe particularly ſpecified[x]. The whole being laid before the General Aſſembly, after ſome exceptions to the name of *Archbiſhop*, *Dean*, *Chapter*, &c. and a proteſtation that it ſhould be conſidered only as a temporary conſtitution, until one more perfect could be introduced, it obtained the approbation of that court[y]. Even Knox, who was prevented from attending the Aſſembly by the ill ſtate of his health, though he declaimed loudly againſt the ſimoniacal paction to which Douglas owed his preferment, and blamed the nomination of a perſon worn out with age and infirmities, to an office which required unimpaired vigour both of body and mind, ſeems not to have condemned the proceedings of the Convention; and, in a letter to the Aſſembly, approved of ſome of their regulations with reſpect to the election of Biſhops, as worthy of being carefully obſerved[z]. In conſequence of the Aſſembly's conſent to the plan agreed upon in the Convention, Douglas was inſtalled in his

[x] Cald. ii. 305. [y] Id. 354. [z] See Appendix, No. V.

office,

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office, and at the same time, an Archbishop of Glasgow, and a Bishop of Dunkeld, were chosen from among the Protestant Clergy. They were all admitted to the place in Parliament, which belonged to the ecclesiastical order. But, in imitation of the example set by Morton, such bargains were made with them by different noblemen, as gave them possession only of a very small part of the revenues belonging to their sees[a].

Nov. 27. Death and character of Knox.

Soon after the dissolution of this Assembly, Knox, the prime instrument of spreading and establishing the Reformed religion in Scotland, ended his life, in the sixty-seventh year of his age. Zeal, intrepidity, disinterestedness, were virtues which he possessed in an eminent degree. He was acquainted, too, with the learning cultivated among divines in that age; and excelled in that species of eloquence which is calculated to rouse and to inflame. His maxims, however, were often too severe, and the impetuosity of his temper excessive. Rigid and uncomplying himself, he shewed no indulgence to the infirmities of others. Regardless of the distinctions of rank and character, he uttered his admonitions with an acrimony and vehemence, more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expressions with respect to the Queen's person and conduct. Those very qualities, however, which now render his character less amiable, fitted him to be the instrument of Providence for advancing the Reform-

[a] Spotf. 261.

ation

ation among a fierce people, and enabled him to face dangers, and to surmount opposition, from which a person of a more gentle spirit would have been apt to shrink back. By an unwearied application to study and to business, as well as by the frequency and fervour of his public discourses, he had worn out a constitution naturally robust. During a lingering illness, he discovered the utmost fortitude; and met the approaches of death with a magnanimity inseparable from his character. He was constantly employed in acts of devotion, and comforted himself with those prospects of immortality, which not only preserve good men from desponding, but fill them with exultation in their last moments. The Earl of Morton, who was present at his funeral, pronounced his eulogium in a few words, the more honourable for Knox as they came from one whom he had often censured with peculiar severity, "There lies He, who never feared the face of man[b]." 1572.

1573. The Regent treats with the Queen's party.

THOUGH Morton did not desire peace from such generous motives as the former Regent, he laboured, however, in good earnest to establish it. The public confusions and calamities, to which he owed his power and importance when he was only the second person in the nation, were extremely detrimental to him, now that he was raised to be the first. While so many of the nobles continued in arms against him, his authority as Regent was partial, feeble, and precarious.

[b] Spotf. 266. Cald. ii. 273.

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rious. Elizabeth was no leſs deſirous of extinguiſhing the flame which ſhe had kindled and kept ſo long alive in Scotland[c]. She had diſcovered the alliance with France, from which ſhe had expected ſuch advantages, to be no foundation of ſecurity. Though appearances of friendſhip ſtill ſubſiſted between her and that court, and Charles daily renewed his proteſtations of inviolable adherence to the treaty, ſhe was convinced, by a fatal example, how little ſhe ought to rely on the promiſes or oaths of that perfidious Monarch. Her ambaſſador warned her that the French held ſecret correſpondence with Mary's adherents in Scotland, and encouraged them in their obſtinacy[d]. The Duke of Alva carried on his intrigues in that kingdom with leſs diſguiſe. She was perſuaded that they would embrace the firſt ſerene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land a body of men in Scotland. She reſolved, therefore, to prevent their getting any footing in the iſland, and to cut off all their hopes of finding any aſſiſtance there, by uniting the two parties.

His overtures rejected by Maitland and Kirkaldy.

THE ſituation of Mary's adherents enabled the Regent to carry on his negotiations with them to great advantage. They were now divided into two factions. At the head of the one, were Chatelherault and Huntly. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extenſive property, and the numbers of their

[c] Digges, 299. [d] Id. 296. 312.

followers,

followers, rendered the former conſiderable. The latter were indebted for their importance to their perſonal abilities, and to the ſtrength of the caſtle of Edinburgh, which was in their poſſeſſion. The Regent had no intention to comprehend both in the ſame treaty; but as he dreaded that the Queen's party, if it remained entire, would be able to thwart and embarraſs his adminiſtration, he reſolved to divide and weaken it, by a ſeparate negotiation. He made the firſt overture to Kirkaldy and his aſſociates, and endeavoured to renew the negotiation with them, which, during the life of his predeceſſor, had been broken off by his own artifices. But Kirkaldy knew Morton's views, and ſyſtem of government, to be very different from thoſe of the former Regent. Maitland conſidered him as a perſonal and implacable enemy. They received repeated aſſurances of protection from France; and though the ſiege of Rochelle employed the French arms at that time, the ſame hopes, which had ſo often deceived the party, ſtill amuſed them, and they expected that the obſtinacy of the Hugonots would ſoon be ſubdued, and that Charles would then be at liberty to act with vigour in Scotland. Meanwhile, a ſupply of money was ſent, and if the caſtle could be held out till Whitſunday, effectual aid was promiſed[c]. Maitland's genius delighted in forming ſchemes that were dangerous; and Kirkaldy poſſeſſed the intrepidity neceſſary for putting them in execution. The caſtle, they

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[c] Digges, 314.

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knew, was so situated, that it might defy all the Regent's power. Elizabeth, they hoped, would not violate the treaty with France, by sending forces to his assistance; and if the French should be able to land any considerable body of men, it might be possible to deliver the Queen from captivity, or at least to balance the influence of France and England in such a manner, as to rescue Scotland from the dishonourable dependance upon the latter, under which it had fallen. This splendid, but chimerical project, they preferred to the friendship of Morton. They encouraged the negotiation, however, because it served to gain time; they proposed, for the same purpose, that the whole of the Queen's party should be comprehended in it, and that Kirkaldy should retain the command of the castle six months after the treaty was signed. His interest prompted the Regent to reject the former; his penetration discovered the danger of complying with the latter; and all hopes of accommodation vanished[f].

As soon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which, by the return of the inhabitants whom he had expelled, was devoted as zealously as ever to the King's cause. But as the Regent had now set on foot a treaty with Chatelherault and Huntly, the cessation of arms still continued with them.

Accepted by Chatelherault and Huntly.

They were less scrupulous than the other party, and listened eagerly to his overtures. The Duke was naturally unsteady, and the approach of old

[f] Melv. 235, &c.

age

age increaſed his irreſolution, and averſion to action. The miſeries of civil diſcord had afflicted Scotland almoſt five years, a length of time far beyond the duration of any former conteſt. The war, inſtead of doing ſervice, had been detrimental to the Queen; and more ruinous than any foreign invaſion to the kingdom. In proſecuting it, neither party had gained much honour; both had ſuffered great loſſes; and had exhauſted their own eſtates, in waſting thoſe of their adverſaries. The commons were in the utmoſt miſery, and longed ardently for a peace, which might terminate this fruitleſs but deſtructive quarrel. 1573.

A GREAT ſtep was taken towards this deſirable event, by the treaty concluded at Perth, between the Regent on one hand, and Chatelherault and Huntly on the other, under the mediation of Killegrew, Elizabeth's Ambaſſador[g]. The chief articles in it were theſe; that all the parties comprehended in the treaty ſhould declare their approbation of the Reformed religion, now eſtabliſhed in the kingdom; that they ſhould ſubmit to the King's government, and own Morton's authority as Regent; that they ſhould acknowledge every thing done in oppoſition to the King, ſince his coronation, to be illegal; that on both ſides the priſoners who had been taken ſhould be ſet at liberty, and the lands reſtored to their proper owners; that the act of attainder paſſed againſt the Queen's adherents ſhould be repealed, and indemnity granted for all the crimes of which

Articles of the treaty. Feb. 23.

[g] See Append. No. VI.

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1573. they had been guilty since the fifteenth of June, one thousand five hundred and sixty-seven; and that the treaty should be ratified by the common consent of both parties in parliament[h].

Siege of the castle of Edinburgh.

KIRKALDY, though abandoned by his associates, who neither discovered solicitude nor made provision for his safety, did not lose courage, nor entertain any thoughts of accommodation[i]. And though all Scotland had now submitted to the King, he still resolved to defend the castle in the Queen's name; and to wait the arrival of the promised succours. The Regent was in want of every thing necessary for carrying on a siege. But Elizabeth, who determined, at any rate, to bring the dissensions in Scotland to a period, before the French could find leisure to take part in the quarrel, soon afforded him sufficient supplies. Sir William Drury marched into Scotland with

[h] Crawf. Mem. 251.

[i] Melvil, whose brother, Sir Robert, was one of those who joined with Kirkaldy in the defence of the castle, and who was himself strongly attached to their party, asserts that Kirkaldy offered to accept of any reasonable terms of composition, but that all his offers were rejected by the Regent. Melv. 240. But as Elizabeth was, at that time, extremely desirous of restoring peace in Scotland, and her Ambassador Killegrew, as well as the Earl of Rothes, used their utmost endeavours to persuade Kirkaldy to accede to the treaty of Perth, it seems more credible to impute the continuance of hostilities to Kirkaldy's obstinacy, his distrust of Morton, or his hope of foreign aid, than to any other cause.

That this was really the case, is evident from the positive testimony of Spotsw. 269, 270. Camd. 448. Johnst. Hist. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.

fifteen

fifteen hundred foot, and a conſiderable train of artillery. The Regent joined him with all his forces; and trenches were opened, and approaches regularly carried on againſt the caſtle. Kirkaldy, though diſcouraged by the loſs of a great ſum of money, remitted to him from France, and which fell into the Regent's hands through the treachery of Sir James Balfour, the moſt corrupt man of that age, defended himſelf with bravery, augmented by deſpair. Three and thirty days he reſiſted all the efforts of the Scotch and Engliſh, who puſhed on their attacks with courage, and with emulation. Nor did he demand a parly, till the fortifications were battered down, and one of the wells in the caſtle dried up, and the other choaked with rubbiſh. Even then, his ſpirit was unſubdued, and he determined rather to fall glorioufly behind the laſt intrenchment, than to yield to his inveterate enemies. But his garriſon was not animated with the ſame heroic or deſperate reſolution, and, riſing in a mutiny, forced him to capitulate. He ſurrendered himſelf to Drury, who promiſed, in the name of his miſtreſs, that he ſhould be favourably treated. Together with him, James Kirkaldy his brother, Lord Home, Maitland, Sir Robert Melvil, a few citizens of Edinburgh, and about one hundred and ſixty ſoldiers, were made priſoners[k].

1573. April 25.

May 29.

Several of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low-countries, and enter-

[k] Cald. ii. 408. Melv. 240. Crawf. Mem. 265.

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ing into the ſervice of the States, added, by their gallant behaviour, to the reputation for military virtue, which has always been the characteriſtic of the Scottiſh nation.

Review of the character of both parties.

THUS by the treaty with Chatelherault and Huntly, and the ſurrender of the caſtle, the civil wars in Scotland were brought to a period. When we review the ſtate of the nation, and compare the ſtrength of the two factions, Mary's partiſans among the nobles appear, manifeſtly, to have been ſuperior both in numbers and in power. But theſe advantages were more than counterbalanced by others, which their antagoniſts enjoyed. Political abilities, military ſkill, and all the talents which times of action form, or call forth, appeared chiefly on the King's ſide. Nor could their enemies boaſt of any man, who equalled the intrepidity of Murray, tempered with wiſdom; the profound ſagacity of Morton; the ſubtle genius, and inſinuating addreſs, of Maitland; or the ſucceſsful valour of Kirkaldy; all of which were, at firſt, employed in laying the foundations of the King's authority. On the one ſide, meaſures were concerted with prudence, and executed with vigour; on the other, their reſolutions were raſh, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation againſt the Queen, warmly ſupported the King's cauſe. The Clergy threw the whole weight of their popularity into the ſame ſcale. By means of theſe, as well as by the powerful interpoſition of England, the King's government was finally eſtabliſhed. Mary loſt even

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even that ſhadow of ſovereignty, which, amidſt all her ſufferings, ſhe had hitherto retained among part of her own ſubjects. As ſhe was no longer permitted to have an Ambaſſador at the court of England, the only mark of dignity which ſhe had, for ſome time, enjoyed there, ſhe muſt henceforth be conſidered as an exile ſtripped of all the enſigns of royalty; guarded with anxiety in the one kingdom, and totally deſerted or forgotten in the other.

Kirkaldy put to death.

KIRKALDY and his aſſociates remained in Drury's cuſtody, and were treated by him with great humanity, until the Queen of England, whoſe priſoners they were, ſhould determine their fate. Morton inſiſted that they ſhould ſuffer the puniſhment due to their rebellion and obſtinacy; and declared that, ſo long as they were allowed to live, he did not reckon his own perſon or authority ſecure; and Elizabeth, without regarding Drury's honour, or his promiſes in her name, gave them up to the Regent's diſpoſal. He firſt confined them to ſeparate priſons; and, ſoon after, with Elizabeth's conſent, condemned Kirkaldy, and his brother, to be hanged at the croſs of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution, by a voluntary death, and "ended his days, ſays Melvil, after the old Roman faſhion[1]."

August 3.

WHILE the Regent was wreaking his vengeance on the remains of her party in Scotland, Mary,

[1] Melv. 242.

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incapable of affording them any relief, bewailed their misfortunes in the ſolitude of her priſon. At the ſame time, her health began to be much impaired by confinement, and want of exerciſe. At the entreaty of the French Ambaſſador, Lord Shrewſbury her keeper was permitted to carry her to Buxton-wells, not far from Tuthbury, the place of her impriſonment. Cecil, who lately had been created Baron of Burleigh, and Lord High Treaſurer of England, happened to be there at the ſame time. Though no miniſter ever entered more warmly into the views of a Sovereign, or gave ſtronger proofs of his fidelity and attachment, than this great man, yet ſuch was Elizabeth's diſtruſt of every perſon who approached the Queen of Scots, that her ſuſpicions, in conſequence of this interview, ſeem to have extended even to him; and, while Mary juſtly reckoned him her moſt dangerous enemy, he found ſome difficulty in perſuading his own miſtreſs that he was not partial to that unhappy Queen[m].

The Duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppreſſive adminiſtration rouſed a ſpirit, in attempting to ſubdue which, Spain exhauſted its treaſures, ruined its armies, and loſt its glory. Requeſens, who ſucceeded him, was of a milder temper, and of a leſs enterpriſing genius. This event delivered Elizabeth from the perpetual diſquietude, occaſioned by Alva's ne-

[m] Strype, ii. 248. 288.

gotiations

gotiations with the Scottiſh Queen, and his zeal for her intereſt.

1574. The Regent's adminiſtration becomes odious.

THOUGH the kingdom was now ſettled in profound peace, many of the evils which accompany civil war were ſtill felt. The reſtraints of law, which, in times of public confuſion, are little regarded even by civilized nations, were totally deſpiſed by a fierce people, unaccuſtomed to a regular adminiſtration of juſtice. The diſorders in every corner of the kingdom were become intolerable; and, under the protection of the one or the other faction, crimes of every kind were committed with impunity. The Regent ſet himſelf to redreſs theſe, and, by his induſtry and vigour, order and ſecurity were re-eſtabliſhed in the kingdom. But he loſt the reputation due to this important ſervice, by the avarice, which he diſcovered, in performing it; and his own exactions became more pernicious to the nation than all the irregularities which he reſtrained[n]. Spies and informers were every where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty treſpaſſes were aggravated; and delinquents were forced to compound for their lives, by the payment of exorbitant fines. At the ſame time, the current coin was debaſed[o]; licences

[n] See Append. No. VII.

[o] The corruption of the coin, during Morton's adminiſtration, was very great. Although the quantity of current money coined out of a pound of bullion, was gradually increaſed by former princes; the ſtandard or fineneſs ſuffered little alteration, and the mixture of alloy was nearly the ſame with what is now uſed. But Morton mixed a fourth part of

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licences were sold for carrying on prohibited branches of commerce, unusual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the Church. The thirds of benefices, out of which the Clergy received their subsistence, had always been slowly and irregularly paid to collectors, appointed by the General Assembly; and, during the civil wars, no payment could be obtained in several parts of the kingdom. Under colour of redressing this grievance, and upon a promise of assigning every Minister a stipend within his own parish, the Regent extorted from the Church the thirds to which they had right by law. But the Clergy, instead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One Minister was commonly burdened with the care of four or five parishes, a pitiful salary was allotted him, and the Regent's insatiable avarice seized on the rest of the fund [p].

The death of Charles IX. which happened this year, was a new misfortune to the Scottish Queen. Henry III. who succeeded him, had

alloy with every pound of silver, and sunk, by consequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be recoined. The standard was restored to the same purity as formerly. Ruddim. Præf. to Anders. Diplom. p. 74.

[p] Crawf. Mem. 272. Spots. 273. Cald. ii. 420. 427.

not

not the same attachment to her person; and his jealousy of the house of Guise, and obsequiousness to the Queen Mother, greatly alienated him from her interest. 1574.

The death of the Duke of Chatelherault must likewise be considered as some loss to Mary. As the Parliament had frequently declared him next heir to the Crown, this entitled him to great respect among his countrymen, and enabled him, more than any other person in the kingdom, to counterbalance the Regent's power. 1575. Jan. 22.

Soon after, at one of the usual interviews between the wardens of the Scottish and English marches, a scuffle happened, in which the English were worsted; a few killed on the spot; and Sir James Forrester, the warden, with several gentlemen who attended him, taken prisoners. But both Elizabeth and the Regent were too sensible of the advantage which resulted from the good understanding that subsisted between the two kingdoms, to allow this slight accident to interrupt it.

Attempts of the Clergy against the Episcopal order.

The domestic tranquillity of the kingdom was in some danger of being disturbed by another cause. Though the persons raised to the dignity of Bishops possessed very small revenues, and a very moderate degree of power, the Clergy, to whom the Regent and all his measures were become extremely odious, began to be jealous of that order. Knowing that corruptions steal into the Church gradually, under honourable names, and upon decent pretences, they were afraid that, from such small beginnings, the hierarchy might grow in time, to be as powerful and oppressive as

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1575. as ever. The chief author of these suspicions was Mr. Andrew Melvil, a man, distinguished by his uncommon erudition, by the severity of his manners, and the intrepidity of his mind. But, bred up in the retirement of a college, he was unacquainted with the arts of life; and being more attentive to the ends which he pursued, than to the means which he employed for promoting them, he often defeated laudable designs, by the impetuosity and imprudence with which he carried them on. A question was moved by him in the assembly, "whether the office of Bishop, as now exercised in the kingdom, were agreeable to the word of God?" In the ecclesiastical judicatories, continual complaints were made of the Bishops for neglect of duty, many of which their known remissness too well justified. The Bishop of Dunkeld, being accused of dilapidating his benefice, was found guilty by the assembly. The Regent, instead of checking, connived at these disputes about ecclesiastical government, as they diverted the zeal of the Clergy from attending to his daily encroachments on the patrimony of the Church [q].

1576. He irritates some of the nobles.

THE weight of the Regent's oppressive administration had, hitherto, fallen chiefly on those in the lower and middle rank; but he began now to take such steps, as convinced the nobles, that their dignity would not long exempt them from feeling the effects of his power. An accident, which was a frequent cause of dissension among

[q] Cald. Assemblies, 1574, &c. Johnst. Hist. 15.

the

the Scottiſh nobles, occaſioned a difference between the Earls of Argyll and Athol. A vaſſal of the former had made ſome depredations on the lands of the latter. Athol took arms to puniſh the offender; Argyll, to protect him; and this ignoble quarrel they were ready to decide in the field, when the Regent, by interpoſing his authority, obliged them to diſband their forces. Both of them had been guilty of irregularities, which, though common, were contrary to the letter of the law. Of theſe the Regent took advantage, and reſolved to found on them a charge of treaſon. This deſign was revealed to the two Earls by one of Morton's retainers. The common danger, to which they were expoſed, compelled them to forget old quarrels, and to unite in a cloſe confederacy, for their mutual defence. Their junction rendered them formidable; they deſpiſed the ſummons which the Regent gave them to appear before a court of juſtice; and he was obliged to deſiſt from any further proſecution. But the injury he intended made a deep impreſſion on their minds, and drew upon him ſevere vengeance [r]. 1576.

Nor was he more ſucceſsful in an attempt, which he made, to load Lord Claud Hamilton with the guilt of having formed a conſpiracy againſt his life. Though thoſe, who were ſuppoſed to be his accomplices, were ſeized, and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circum-

[r] Crawf. Mem. 285.

ſtances

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ſtances diſcovered his innocence, as well as the Regent's ſecret views, in imputing to him ſuch an odious deſign[s].

They turn their eyes towards the King.

THE Scottiſh Nobles, who were almoſt equal to their Monarchs in power, and treated by them with much diſtinction, obſerved theſe arbitrary proceedings of a Regent with the utmoſt indignation. The people, who, under a form of government extremely ſimple, had been little accuſtomed to the burden of taxes, complained loudly of the Regent's rapacity. And all began to turn their eyes towards the young King, from whom they expected the redreſs of all their grievances, and the return of a more gentle and more equal adminiſtration.

James's education and diſpoſition.

JAMES was now in the twelfth year of his age. The Queen, ſoon after his birth, had committed him to the care of the Earl of Mar, and during the civil wars he had reſided ſecurely in the caſtle of Stirling. Alexander Erſkine, that nobleman's brother, had the chief direction of his education. Under him, the famous Buchanan acted as preceptor, together with three other maſters, the moſt eminent the nation afforded for ſkill in thoſe ſciences which were deemed neceſſary for a prince. As the young King ſhewed an uncommon paſſion for learning, and made great progreſs in it; the Scots fancied that they already diſcovered in him, all thoſe virtues which the fondneſs or credulity of ſubjects uſually aſcribe to princes during their minority. But as James was ſtill far from that

[s] Crawf. Mem. 287.

age

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age at which the law permitted him to assume the reins of government, the Regent did not sufficiently attend to the sentiments of the people, nor reflect, how naturally these prejudices in his favour might encourage the King to anticipate that period. He not only neglected to secure the friendship of those who were about the King's person, and who possessed his ear, but had even exasperated some of them by personal injuries. Their resentment concurred with the ambition of others, in infusing into the King early suspicions of Morton's power and designs. A King, they told him, had often reason to fear, seldom to love, a Regent. Prompted by ambition, and by interest, he would endeavour to keep the Prince in perpetual infancy, at a distance from his subjects, and unacquainted with business. A small degree of vigour, however, was sufficient to break the yoke. Subjects naturally reverence their Sovereign, and become impatient of the temporary and delegated jurisdiction of a Regent. Morton had governed with rigour, unknown to the ancient Monarchs of Scotland. The nation groaned under his oppressions; and would welcome the first prospect of a milder administration. At present the King's name was hardly mentioned in Scotland, his friends were without influence, and his favourites without honour. But one effort would discover Morton's power to be as feeble, as it was arbitrary. The same attempt would put himself in possession of his just authority, and rescue the nation from intolerable tyranny. If he did not regard his own rights as a King,

He is suspicious of the Regent's power.

BOOK VI.

King, let him liſten, at leaſt, to the cries of his people[t].

1577. A plot formed againſt the Regent.

THESE ſuggeſtions made a deep impreſſion on the young King, who was trained up in an opinion that he was born to command. His approbation of the deſign, however, was of ſmall conſequence, without the concurrence of the nobles. The Earls of Argyll and Athol, two of the moſt powerful of that body, were animated with implacable reſentment againſt the Regent. To them the Cabal in Stirling-caſtle communicated the plot which was on foot; and they entering warmly into it, Alexander Erſkine, who, ſince the death of his brother, and during the minority of his nephew, had the command of that fort, and the cuſtody of the King's perſon, admitted them ſecretly into the King's preſence. They gave him the ſame account of the miſery of his ſubjects, under the Regent's arbitrary adminiſtration; they complained loudly of the injuſtice with which themſelves had been treated, and beſought the King, as the only means for redreſſing the grievances of the nation, to call a council of all the nobles. James conſented, and letters were iſſued, in his name, for that purpoſe; but the two Earls took care that they ſhould be ſent only to ſuch as were known to bear no good will to Morton[u].

THE number of theſe was, however, ſo conſiderable, that, on the day appointed, far the greater part of the nobles aſſembled at Stirling;

[t] Melvil, 249. [u] Spotſ. 278.

and

and so highly were they incensed against Morton, that although, on receiving intelligence of Argyll and Athol's interview with the King, he had made a feint as if he would resign the Regency, they advised the King, without regarding this offer, to deprive him of his office, and to take the administration of government into his own hands. Lord Glamis the Chancellor, and Herries, were appointed to signify this resolution to Morton, who was, at that time, in Dalkeith, his usual place of residence. Nothing could equal the joy with which this unexpected resolution filled the nation, but the surprise occasioned by the seeming alacrity with which the Regent descended from so high a station. He neither wanted sagacity to foresee the danger of resigning, nor inclination to keep possession of an office, for the expiration of which the law had fixed so distant a term. But all the sources, whence the faction of which he was head, derived their strength, had either failed, or now supplied his adversaries with the means of humbling him. The Commons, the city of Edinburgh, the Clergy, were all totally alienated from him, by his multiplied oppressions. Elizabeth, having lately bound herself by treaty, to send a considerable body of troops to the assistance of the inhabitants of the Netherlands, who were struggling for liberty, had little leisure to attend to the affairs of Scotland; and as she had nothing to dread from France, in whose councils the Princes of Lorrain had not, at that time, much influence, she was not displeased, perhaps, at the birth of new factions in the

1578. March 4.

He resigns his office, and retires.

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1578. kingdom. Even thoſe nobles, who had long been joined with Morton in faction, or whom he had attached to his perſon by benefits, Glamis, Lindſay, Ruthven, Pitcairn the ſecretary, Murray of Tillibardin Comptroller, all deſerted his falling fortunes, and appeared in the council at Stirling. So many concurring circumſtances convinced Morton of his own weakneſs, and determined him to give way to a torrent, which

March 12. was too impetuous to be reſiſted. He attended the Chancellor and Herries to Edinburgh; was preſent when the King's acceptance of the government was proclaimed; and, in the preſence of the people, ſurrendered to the King all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with ſuch exceſſive joy and acclamations of the multitude, as added, no doubt, to the anguiſh which an ambitious ſpirit muſt feel when compelled to renounce ſupreme power; and convinced Morton how entirely he had loſt the affections of his countrymen. He obtained, however, from the King, an act, containing the approbation of every thing done by him in the exerciſe of his office, and a pardon, in the moſt ample form that his fear or caution could deviſe, of all paſt offences, crimes, and treaſons. The nobles, who adhered to the King, bound themſelves, under a great penalty, to procure the ratification of this act, in the firſt parliament[x].

[x] Spotſ. 278. Crawf. Mem. 289. Cald. ii. 522.

A COUNCIL

A COUNCIL of twelve Peers was appointed to assist the King in the administration of affairs. Morton, deserted by his own party, and unable to struggle with the faction, which governed absolutely at court, retired to one of his seats, and seemed to enjoy the tranquillity, and to be occupied only in the amusements, of a country life. His mind, however, was deeply disquieted with all the uneasy reflections which accompany disappointed ambition, and intent on schemes for recovering his former grandeur. Even in this retreat, which the people called the *Lion's-den*, his wealth and abilities rendered him formidable; and the new Counsellors were so imprudent as to rouse him, by the precipitancy with which they hastened to strip him of all the remains of power. They required him to surrender the castle of Edinburgh, which was still in his possession. He refused at first to do so, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulsed part of the garrison, which was sent out to guard a convoy of provisions, he was obliged to give up that important fortress, without resistance. This encouraged his adversaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in such a manner, as convinced him that nothing less than his utter ruin would satisfy their inveterate hatred.

1578. Continues to watch the motions of the adverse party.

THEIR power and popularity, however, began already to decline. The Chancellor, the ablest and most moderate man in the party, having been killed at Stirling, in an accidental rencounter be-

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1578. tween his followers and those of the Earl of Crawford; Athol, who was appointed his successor in that high office, the Earls of Eglinton, Cathness, and Lord Ogilvie, all the prime favourites at court, were either avowed Papists, or suspected of leaning to the opinions of that sect. In an age, when the return of popery was so much and so justly dreaded, this gave universal alarm. As Morton had always treated the Papists with rigour, this unseasonable favour to persons of that religion made all zealous Protestants remember that circumstance in his administration with great praise[y].

Resumes his former authority.

Morton, to whom none of these particulars were unknown, thought this the proper juncture for setting to work the instruments which he had been preparing. Having gained the confidence of the Earl of Mar, and of the Countess his mother, he insinuated to them, that Alexander Erskine had formed a plot to deprive his nephew of the government of Stirling-castle, and the custody of the King's person; and easily induced an ambitious woman, and a youth of twenty, to employ force to prevent this supposed injury. The Earl repairing suddenly to Stirling, and being admitted, as usual, into the castle with his attendants,

April 26. seized the gates early in the morning, and turned out his Uncle, who dreaded no danger from his hands. The soldiers of the garrison submitted to him as their governor, and, with little danger and no effusion of blood, he became master both of the King's person, and of the fortress[z].

[y] Spotf. 283. [z] Cald. ii. 535.

An

An event so unexpected occasioned great consternation. Though Morton's hand did not appear in the execution, he was universally believed to be the author of the attempt. The new Counsellors saw it to be necessary, for their own safety, to change their measures, and, instead of pursuing him with such implacable resentment, to enter into terms of accommodation with an adversary, still so capable of creating them trouble. Four were named, on each side, to adjust their differences. They met not far from Dalkeith; and when they had brought matters near a conclusion, Morton, who was too sagacious not to improve the advantage which their security and their attention to the treaty afforded him, set out in the night-time for Stirling, and having gained Murray of Tillibardin, Mar's uncle, was admitted by him into the castle; and managing matters there with his usual dexterity, he soon had more entirely the command of the fort, than the Earl himself. He was likewise admitted to a seat in the privy council, and acquired the same ascendant in it[a]. 1578. May 24.

As the time appointed for the meeting of parliament at Edinburgh now approached, this gave him some anxiety. He was afraid of conducting the young King to a city, whose inhabitants were so much at the devotion of the adverse faction. He was no less unwilling to leave James behind at Stirling. In order to avoid this dilemma, he issued a proclamation, in the King's name,

[a] Cald. ii. 536.

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1578. changing the place of meeting from Edinburgh to Stirling-caſtle. This Athol and his party repreſented as a ſtep altogether unconſtitutional. The King, ſaid they, is Morton's priſoner; the pretended counſellors are his ſlaves; a parliament, to which all the nobles may repair without fear, and where they may deliberate with freedom, is abſolutely neceſſary for ſettling the nation, after diſorders of ſuch long continuance. But in an aſſembly, called contrary to all form, held within the walls of a garriſon, and overawed by armed men, what ſafety could members expect? what liberty could prevail in debate? or what benefit

July 25. reſult to the public? The parliament met, however, on the day appointed, and, notwithſtanding the proteſtation of the Earl of Montroſe and Lord Lindſay, in name of their party, proceeded to buſineſs. The King's acceptance of the government was confirmed; the act granted to Morton, for his ſecurity, ratified; ſome regulations, with regard to the numbers and authority of the privy council, were agreed upon; and a penſion for life granted to the Counteſs of Mar, who had been ſo inſtrumental in bringing about the late revolution[b].

Argyll and Athol take arms againſt him.

MEANWHILE, Argyll, Athol, and their followers, took arms, upon the ſpecious pretence of reſcuing the King from captivity, and the kingdom from oppreſſion. James himſelf, impatient of the ſervitude in which he was held, by a man whom he had long been taught to hate, ſecretly encouraged

[b] Cald. ii. 547. Parl. 5 Jac. VI.

their

their enterprise; though, at the same time, he was obliged not only to disavow them in public, but to levy forces against them, and even to declare, by proclamation, that he was perfectly free from any constraint, either upon his person, or his will. Both sides quickly took the field. Argyll and Athol were at the head of seven thousand men; the Earl of Angus, Morton's nephew, met them with an army five thousand strong; neither party, however, was eager to engage. Morton distrusted the fidelity of his own troops. The two Earls were sensible that a single victory, however complete, would not be decisive; and as they were in no condition to undertake the siege of Stirling-castle, where the King was kept, their strength would soon be exhausted, while Morton's own wealth, and the patronage of the Queen of England, might furnish him with endless resources. By the mediation of Bowes, whom Elizabeth had sent into Scotland to negotiate an accommodation between the two factions, a treaty was concluded, in consequence of which, Argyll and Athol were admitted into the King's presence; some of their party were added to the Privy Council; and a Convention of nobles called, in order to bring all remaining differences to an amicable issue[c].

August 11.

Elizabeth negotiates an accommodation between them.

As soon as James assumed the government into his own hands, he dispatched the Abbot of Dunfermling to inform Elizabeth of that event; to offer to renew the alliance between the two king-

[c] Crawf. Mem. 307.

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1578. doms; and to demand poſſeſſion of the eſtate, which had lately fallen to him by the death of his grandmother, the Counteſs of Lennox. That Lady's ſecond ſon had left one daughter, Arabella Stewart, who was born in England. And as the chief objection againſt the pretenſions of the Scottiſh line to the Crown of England, was that maxim of Engliſh law, which excludes aliens from any right of inheritance within the kingdom, Elizabeth, by granting this demand, would have eſtabliſhed a precedent in James's favour, that might have been deemed deciſive, with regard to a point, which it had been her conſtant care to keep undecided. Without ſuffering this delicate queſtion to be tried, or allowing any new light to be thrown on that, which ſhe conſidered as the great myſtery of her reign, ſhe commanded Lord Burleigh, Maſter of the Wards, to ſequeſter the rents of the eſtate; and by this method of proceeding, gave the Scottiſh King early warning how neceſſary it would be to court her favour, if ever he hoped for ſucceſs in claims of greater importance, but equally liable to be controverted[d].

1579. After many delays, and with much difficulty, the contending nobles were at laſt brought to ſome agreement. But it was followed by a tragical event. Morton, in token of reconcilement, having invited the leaders of the oppoſite party to a April 24. great entertainment, Athol the Chancellor was, ſoon after, taken ill, and died within a few days.

[d] Camd. 461.

The ſymptoms and violence of the diſeaſe gave riſe to ſtrong ſuſpicions of his being poiſoned; and though the phyſicians, who opened his body, differed in opinion as to the cauſe of the diſtemper, the Chancellor's relations publicly accuſed Morton of that odious crime. The advantage which viſibly accrued to him, by the removal of a man of great abilities, and averſe from all his meaſures, was ſufficient proof of his guilt to the people, who are ever fond of imputing the death of eminent perſons to extraordinary cauſes[e].

Morton's illegal proceedings againſt the family of Hamilton.

The office of Chancellor was beſtowed upon Argyll, whom this preferment reconciled, in a great meaſure, to Morton's adminiſtration. He had now recovered all the authority he poſſeſſed during his Regency, and had entirely broken, or baffled, the power and cabals of his enemies. None of the great families remained to be the objects of his jealouſy, or to obſtruct his deſigns, but that of Hamilton. The Earl of Arran, the eldeſt brother, had never recovered the ſhock which he received from the ill ſucceſs of his paſſion for the Queen, and had now altogether loſt his reaſon. Lord John, the ſecond brother, was in poſſeſſion of the family eſtate. Lord Claud was Commendator of Paiſley; both of them young men, ambitious, and enterpriſing. Morton dreaded their influence in the kingdom; the courtiers hoped to ſhare their ſpoils among them; and as all Princes naturally view their ſucceſſors with jealouſy and hatred, it was eaſy to infuſe

[e] Spotſw. 306.

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1579. theſe paſſions into the mind of the young King. A pretence was at hand to juſtify the moſt violent proceedings. The pardon, ſtipulated in the treaty of Perth, did not extend to ſuch as were acceſſary to the murder of the Regents Murray or Lennox. Lord John and his brother were ſuſpected of being the authors of both theſe crimes, and had been included in a general act of attainder on that account. Without ſummoning them to trial, or examining a ſingle witneſs to prove the charge, this attainder was now thought ſufficient to ſubject them to all the penalties which they would have incurred by being formally convicted. The Earls of Morton, Mar, and Eglinton, together with the Lords Ruthven, Boyd, and Cathcart, received a commiſſion to ſeize their perſons and eſtates. On a few hours warning, a conſiderable body of troops was ready, and marched towards Hamilton in hoſtile array. Happily the two brothers made their eſcape, though with great difficulty. But their lands were confiſcated; the caſtles of Hamilton and Draffan beſieged; thoſe who defended them puniſhed. The Earl of Arran, though incapable, from his ſituation, of committing any crime, was involved, by a ſhameful abuſe of law, in the common ruin of his family; and as if he, too, could have been guilty of rebellion, he was confined a cloſe priſoner. Theſe proceedings, ſo contrary to the fundamental principles of juſtice, were all ratified in the ſubſequent parliament[f].

[f] Crawf. Mem. 311. Spotſw. 306.

About this time Mary sent, by Naué her secretary a letter to her son, together with some jewels of value, and a vest embroidered with her own hands. But as she gave him only the title of Prince of Scotland, the messenger was dismissed, without being admitted into his presence[g].

Though Elizabeth had, at this time, no particular reason to fear any attempt of the Popish Princes in Mary's favour, she still continued to guard her with the same anxious care. The acquisition of Portugal, on the one hand, and the defence of the Netherlands, on the other, fully employed the councils and arms of Spain. France, torn in pieces by intestine commotions, and under a weak and capricious Prince, despised and distrusted by his own subjects, was in no condition to disturb its neighbours. Elizabeth had long amused that court by carrying on a treaty of marriage with the Duke of Alençon, the King's brother. But whether, at the age of forty-five, she really intended to marry a Prince of twenty? whether the pleasure of being flattered and courted, made her listen to the addresses of so young a lover, whom she allowed to visit her at two different times, and treated with the most distinguishing respect? or whether considerations of interest predominated in this, as well as in every other transaction of her reign, are problems in history which we are not concerned to resolve. During the progress of this negotiation, which was drawn out to an extraordinary length, Mary

Negotiations for a marriage between Elizabeth and the Duke of Alençon.

[g] Crawf. Mem. 314.

could

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1579. could expect no assistance from the French court, and seems to have held little correspondence with it; and there was no period in her reign, wherein Elizabeth enjoyed more perfect security.

Two favourites gain an ascendant over James.

Morton seems at this time to have been equally secure; but his security was not so well founded. He had weathered out one storm, had crushed his adversaries, and was again in possession of the sole direction of affairs. But as the King was now of an age when the character and dispositions of the mind begin to unfold themselves, and to become visible, the smallest attention to these might have convinced him, that there was reason to expect new and more dangerous attacks on his power. James early discovered that excessive attachment to favourites, which accompanied him through his whole life. This passion, which naturally arises from inexperience, and youthful warmth of heart, was, at his age, far from being culpable; nor could it well be expected that the choice of the objects, on whom he placed his affections, should be made with great skill. The most considerable of them was Esme Stewart, a native of France, and son of a second brother of the Earl of Lennox. He was distinguished by the title of Lord D'Aubigné, an estate in France, which descended to him from his ancestors, on whom it had been conferred, in reward of their valour and services to the French Crown. He arrived in Scotland about this time, on purpose to demand the estate and title of Lennox, to which he pretended a legal right. He was received, at first, by the King with the respect

Sept. 8.

reſpect due to ſo near a relation. The gracefulneſs of his perſon, the elegance of his dreſs, and his courtly behaviour, made a great impreſſion on James, who, even in his more mature years, was little able to reſiſt theſe frivolous charms; and his affection flowed with its uſual rapidity and profuſion. Within a few days after Stewart's appearance at court, he was created Lord Aberbrothock, ſoon after Earl, and then Duke of Lennox, Governor of Dunbarton caſtle, Captain of the guard, firſt Lord of the bed-chamber, and Lord High Chamberlain. At the ſame time, and without any of the envy or emulation which is uſual among candidates for favour, Captain James Stewart, the ſecond ſon of Lord Ochiltree, grew into great confidence. But notwithſtanding this union, Lennox and Captain Stewart were perſons of very oppoſite characters. The former was naturally gentle, humane, candid; but unacquainted with the ſtate of the country, and miſled, or miſinformed by thoſe whom he truſted; not unworthy to be the companion of the young King in his amuſements, but utterly diſqualified for acting as a Miniſter in directing his affairs. The latter was remarkable for all the vices which render a man formidable to his country, and a pernicious counſellor to his Prince; nor did he poſſeſs any one virtue to counterbalance theſe vices, unleſs dexterity in conducting his own deſigns, and an enterpriſing courage, ſuperior to the ſenſe of danger, may paſs by that name. Unreſtrained by religion, regardleſs of decency, and undiſmayed by oppoſition, he aimed at objects ſeemingly

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1579.

seemingly unattainable; but under a Prince void of experience, and blind to all the defects of those who had gained his favour, his audacity was successful; and honours, wealth, and power, were the reward of his crimes.

They labour to undermine Morton's authority.

BOTH the favourites concurred in employing their whole address to undermine Morton's credit, which alone obstructed their full possession of power. As James had been bred up with an aversion for that nobleman, who endeavoured rather to maintain the authority of a tutor, than to act with the obsequiousness of a minister, they found it no difficult matter to accomplish their

Octob. 17.

design. Morton, who could no longer keep the King shut up within the walls of Stirling-castle, having called a parliament to meet at Edinburgh, brought him thither. James made his entry into the capital with great solemnity; the citizens received him with the loudest acclamations of joy, and with many expensive pageants, according to the mode of that age. After a long period of thirty-seven years, during which, Scotland had been subjected to the delegated power of Regents, or to the feeble government of a woman; after having suffered all the miseries of civil war, and felt the insolence of foreign armies, the nation rejoiced to see the sceptre once more in the hands of a King. Fond even of that shadow of authority, which a Prince of fifteen could possess, the Scots flattered themselves, that union, order, and tranquillity would now be restored to the kingdom. James opened the parliament with extraordinary pomp, but nothing remarkable passed in it.

THESE

THESE demonſtrations, however, of the people's love and attachment to their Sovereign, encouraged the favourites to continue their inſinuations againſt Morton; and as the King now reſided in the palace of Holy-rood-houſe, to which all his ſubjects had acceſs, the cabal againſt the Earl grew daily ſtronger, and the intrigue, which occaſioned his fall, ripened gradually.

Morton endeavours to prevent them.

MORTON began to be ſenſible of his danger, and endeavoured to put a ſtop to the career of Lennox's preferment, by repreſenting him as a formidable enemy to the Reformed religion, a ſecret agent in favour of Popery, and a known emiſſary of the houſe of Guiſe. The clergy, apt to believe every rumour of this kind, ſpread the alarm among the people. But Lennox, either out of complaiſance to his maſter, or convinced by the arguments of ſome learned Divines, whom the King appointed to inſtruct him in the principles of the Proteſtant religion, publicly renounced the errors of Popery, in the Church of St. Giles, and declared himſelf a member of the Church of Scotland, by ſigning her Confeſſion of Faith. This, though it did not remove all ſuſpicions, nor ſilence ſome zealous preachers, abated, in a great degree, the force of the accuſation[h].

ON the other hand, a rumour prevailed that Morton was preparing to ſeize the King's perſon, and to carry him into England. Whether deſpair of maintaining his power by any other means,

[h] Crawf. Mem. 319. Spotſ. 308.

had

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had driven him to make any overture of that kind to the English court, or whether it was a calumny invented by his adversaries to render him odious, cannot now be determined with certainty. As he declared at his death that such a design had never entered into his thoughts, the latter seems to be most probable. It afforded a pretence, however, for reviving the office of Lord Chamberlain, which had been for some time disused. That honour was conferred on Lennox. Alexander Erskine, Morton's capital enemy, was his deputy; they had under them a band of gentlemen, who were appointed constantly to attend the King, and to guard his person[1].

Elizabeth interposes in his behalf.

Morton was not ignorant of what his enemies intended to insinuate by such unusual precautions for the King's safety; and as his last resource, applied to Elizabeth, whose protection had often stood him in stead in his greatest difficulties. In consequence of this application, Bowes her Envoy accused Lennox of practices against the peace of the two kingdoms, and insisted, in her name, that he should instantly be removed from the Privy Council. Such an unprecedented demand was considered by the Counsellors as an affront to the King, and an encroachment on the independence of the kingdom. They affected to call in question the Envoy's powers, and upon that pretence refused him farther audience; and he retiring in disgust, and without taking leave, Sir Alexander Home was sent to expostulate with

[1] Crawf. Mem. 320.

Elizabeth

1580.

Elizabeth on the ſubject. After the treatment which her Envoy had received, Elizabeth thought it below her dignity to admit Home into her preſence. Burleigh, to whom he was commanded to impart his commiſſion, reproached him with his maſter's ingratitude towards a benefactreſs, who had placed the Crown on his head, and required him to adviſe the King to beware of ſacrificing the friendſhip of ſo neceſſary an ally to the giddy humours of a young man, without experience, and ſtrongly ſuſpected of principles, and attachments, incompatible with the happineſs of the Scottiſh nation.

Morton accuſed of the murder of the late King.

THIS accuſation of Lennox haſtened, in all probability, Morton's fall. The act of indemnity, which he had obtained when he reſigned the Regency, was worded with ſuch ſcrupulous exactneſs, as almoſt ſcreened him from any legal proſecution. The murder of the late King was the only crime which could not, with decency, be inſerted in a pardon granted by his ſon. Here Morton ſtill lay open to the penalties of the law; and Captain Stewart, who ſhunned no action, however deſperate, if it led to power or to favour, entered the council-chamber while the King and nobles were aſſembled, and falling on his knees, accuſed Morton of being acceſſary, or according to the language of the Scottiſh law, *art and part*, in the conſpiracy againſt the life of his Majeſty's father, and offered, under the uſual penalties, to verify this charge by legal evidence. Morton, who was preſent, heard this accuſation with firmneſs; and replied with a diſdainful ſmile, proceeding

Decem. 30.

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1580. ceeding either from contempt of the infamous character of his accuſer, or from conſciouſneſs of his own innocence, "that his known zeal in puniſhing thoſe who were ſuſpected of that deteſtable crime, might well exempt himſelf from any ſuſpicion of being acceſſary to it; nevertheleſs, he would cheerfully ſubmit to a trial, either in that place, or in any other court; and doubted not but his own innocence, and the malice of his enemies, would then appear in the cleareſt light." Stewart, who was ſtill on his knees, began to enquire how he would reconcile his beſtowing ſo many honours on Archibald Douglas, whom he certainly knew to be one of the murderers, with his pretended zeal againſt that crime. Morton was ready to anſwer. But the King commanded

1581. January 2. both to be removed. The Earl was confined, firſt of all, to his own houſe, and then committed to the caſtle of Edinburgh, of which Alexander Erſkine was Governor; and as if it had not been a ſufficient indignity to ſubject him to the power of one of his enemies, he was, ſoon after, carried to Dunbarton, of which Lennox had the com-

Jan. 18. mand. A warrant was likewiſe iſſued for apprehending Archibald Douglas; but he, having received timely intelligence of the approaching danger, fled into England[k].

THE Earl of Angus, who imputed theſe violent proceedings not to hatred againſt Morton alone, but to the ancient enmity between the houſes of Stewart and of Douglas, and who believed that

[k] Crawf. Mem. 323.

a con-

a conſpiracy was now formed for the deſtruction of all who bore that name, was ready to take arms in order to reſcue his kinſman. But Morton abſolutely forbad any ſuch attempt, and declared that he would rather ſuffer ten thouſand deaths, than bring an imputation upon his own character by ſeeming to decline a trial[1].

Elizabeth's meaſures in order to ſave him.

ELIZABETH did not fail to interpoſe, with warmth, in behalf of a man who had contributed ſo much to preſerve her influence over Scotland. The late tranſactions in that kingdom had given her great uneaſineſs. The power which Lennox had acquired independent of her was dangerous; the treatment her Ambaſſadors had met with differed greatly from the reſpect with which the Scots were in uſe to receive her Miniſters; and the attack now made on Morton fully convinced her that there was an intention to ſow the ſeeds of diſcord between the two nations, and to ſeduce James into a new alliance with France, or into a marriage with ſome Popiſh Princeſs. Full of theſe apprehenſions, ſhe ordered a conſiderable body of troops to be aſſembled on the borders of Scotland, and diſpatched Randolph as her Ambaſſador into that kingdom. He addreſſed himſelf not only to James, and to his council, but to a convention of eſtates, met at that time. He began with enumerating the extraordinary benefits which Elizabeth had conferred on the Scottiſh nation: That without demanding a ſingle foot of land for herſelf, without encroaching on

[1] Johnſt. 64. Spotſw. 311.

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the liberties of the kingdom in the ſmalleſt article, ſhe had, at the expence of the blood of her ſubjects, and the treaſures of her Crown, reſcued the Scots from the dominion of France, eſtabliſhed among them true religion, and put them in poſſeſſion of their ancient rights: That from the beginning of civil diſſenſions in the kingdom, ſhe had protected thoſe who eſpouſed the King's cauſe, and by her aſſiſtance alone, the Crown had been preſerved on his head, and all the attempts of the adverſe faction baffled: That an union, unknown to their anceſtors, but equally beneficial to both kingdoms, had ſubſiſted for a long period of years; and though ſo many Popiſh Princes had combined to diſturb this happy ſtate of things, her care, and their conſtancy, had hitherto defeated all theſe efforts: That ſhe had obſerved, of late, an unuſual coldneſs, diſtruſt, and eſtrangement in the Scottiſh Council, which ſhe could impute to none but to Lennox, a ſubject of France, a retainer to the houſe of Guiſe, bred up in the errors of Popery, and ſtill ſuſpected of favouring that ſuperſtition. Not ſatisfied with having mounted ſo faſt to an uncommon height of power, which he exerciſed with all the raſhneſs of youth, and all the ignorance of a ſtranger; nor thinking it enough to have deprived the Earl of Morton of the authority due to his abilities and experience, he had conſpired the ruin of that nobleman, who had often expoſed his life in the King's cauſe, who had contributed more than any other ſubject to place him on the throne, to reſiſt the encroachments of Popery, and to preſerve

ſerve the union between the two kingdoms. If any zeal for religion remained among the nobles in Scotland, if they wiſhed for the continuance of amity with England, if they valued the privileges of their own order, he called upon them, in the name of his Miſtreſs, to remove ſuch a pernicious counſellor as Lennox from the preſence of the young King, to reſcue Morton out of the hands of his avowed enemy, and ſecure to him the benefit of a fair and impartial trial: And if force were neceſſary towards accompliſhing a deſign ſo ſalutary to the King and kingdom, he promiſed them the protection of his Miſtreſs in the enterpriſe, and whatever aſſiſtance they ſhould demand either of men or money[m].

But theſe extraordinary remonſtrances, accompanied with ſuch an unuſual appeal from the King to his ſubjects, were not the only means employed by Elizabeth in favour of Morton, and againſt Lennox. She perſuaded the Prince of Orange to ſend an agent into Scotland, and under colour of complimenting James on account of the valour which many of his ſubjects had diſplayed in the ſervice of the States, to enter into a long detail of the reſtleſs enterpriſes of the Popiſh Princes againſt the Proteſtant Religion; to beſeech him to adhere inviolably to the alliance with England, the only barrier which ſecured his kingdom againſt their dangerous cabals; and above all things, to diſtruſt the inſinuations of thoſe who endeavoured to weaken or to diſſolve that union between the

[m] Cald. iii. 6. Strype, ii. 621.

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British nations, which all the Protestants in Europe beheld with so much pleasure[n].

1581. James determines to proceed against him.

James's Counsellors were too intent upon the destruction of their enemy to listen to these remonstrances. The officious interposition of the Prince of Orange, the haughty tone of Elizabeth's message, and her avowed attempt to excite subjects to rebel against their Sovereign, were considered as unexampled insults on the majesty and independence of a crowned head. A general and evasive answer was given to Randolph. James prepared to assert his own dignity with spirit. All those suspected of favouring Morton were turned out of office, some of them were required to surrender themselves prisoners; the men capable of bearing arms throughout the kingdom were commanded to be in readiness to take the field; and troops were levied, and posted on the borders. The English Ambassador, finding that neither the public manifesto which he had delivered to the Convention, nor his private cabals with the nobles, could excite them to arms, fled in the night-time out of Scotland, where libels against him had been daily published, and even attempts made upon his life. In both kingdoms every thing wore an hostile aspect. But Elizabeth, though she wished to have intimidated the Scottish King by her preparations, had no inclination to enter into a war with him, and the troops on the borders, which had given such umbrage, were soon dispersed[o].

[n] Cald. iii. 9. See Appendix, No. VIII.

[o] Crawf. Mem. 328. Strype, ii. App. 138.

THE

THE greater ſolicitude Elizabeth diſcovered for Morton's ſafety, the more eagerly did his enemies drive on their ſchemes for his deſtruction. Captain Stewart, his accuſer, was firſt appointed *Tutor* to the Earl of Arran, and ſoon after both the title and eſtate of his unhappy ward, to which he advanced ſome frivolous claim, were conferred upon him. The new-made Peer was commanded to conduct Morton from Dunbarton to Edinburgh; and, by that choice, the Earl was not only warned what fate he might expect, but had the cruel mortification of ſeeing his deadly enemy already loaded with honours, in reward of the malice which he had contributed to his ruin.

He is tried and condemned.

THE records of the Court of *Juſticiary* at this period are loſt. The account which our hiſtorians give of Morton's trial is inaccurate and unſatisfactory. The proceedings againſt him ſeem to have been carried on with violence. During the trial, great bodies of armed men were drawn up in different parts of the city. The jury was compoſed of the Earl's known enemies; and though he challenged ſeveral of them, his objections were over-ruled. After a ſhort conſultation, his Peers found him guilty of concealing, and of being *art and part* in the conſpiracy againſt the life of the late King. The firſt part of the verdict did not ſurpriſe him, but he twice repeated the words *art and part* with ſome vehemence, and added, "God knows it is not ſo." The doom, which the law decrees againſt a Traitor, was pronounced. The King, however, remitted the cruel

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and ignominious part of the ſentence, and appointed that he ſhould ſuffer death next day, by being beheaded[p].

His death.

During that awful interval, Morton poſſeſſed the utmoſt compoſure of mind. He ſupped cheerfully; ſlept a part of the night in his uſual manner, and employed the reſt of his time in religious conferences, and in acts of devotion, with ſome Miniſters of the city. The Clergyman who attended him, dealt freely with his conſcience, and preſſed his crimes home upon him. What he confeſſed with regard to the crime for which he ſuffered, is remarkable, and ſupplies, in ſome meaſure, the imperfection of our records. He acknowledged, that on his return from England after the death of Rizio, Bothwell had informed him of the conſpiracy againſt the King, which the Queen, as he told him, knew of and approved; that he ſolicited him to concur in the execution of it, which, at that time, he abſolutely declined; that ſoon after, Bothwell himſelf, and Archibald Douglas, in his name, renewing their ſolicitations to the ſame purpoſe, he had required a warrant under the Queen's hand, authoriſing the attempt, and as that had never been produced, he had refuſed to be any farther concerned in the matter. "But, continued he, as I neither conſented to this treaſonable act, nor aſſiſted in the committing of it, ſo it was impoſſible for me to reveal, or to prevent it. To whom could I make the diſcovery? The Queen was the

[p] Spotſ. 314. Johnſt. 65. Crawf. Mem. 332. Cald. iii. 45. Arnot's Crimin. Trials, 388.

"author

"author of the enterprise. Darnly was such a "changeling, that no secret could be safely com- "municated to him. Huntly and Bothwell, who "bore the chief sway in the kingdom, were them- "selves the perpetrators of the crime." These circumstances, it must be confessed, go some length towards extenuating Morton's guilt; and though his apology for the favour he had shewn to Archibald Douglas, whom he knew to be one of the conspirators, be far less satisfactory, no uneasy reflections seem to have disquieted his own mind on that account[q]. When his keepers told him that the guards were attending, and all things in readiness, "I praise my God, said he, I am "ready likewise." Arran commanded these guards; and even in those moments, when the most implacable hatred is apt to relent, the malice of his enemies could not forbear this insult. On the scaffold, his behaviour was calm; his countenance and voice unaltered; and after some time spent in devotion, he suffered death with the intrepidity which became the name of Douglas. His head was placed on the public gaol of Edinburgh; and his body, after lying till sun-set on the scaffold, covered with a beggarly cloak, was carried by common porters to the usual burial-place of criminals. None of his friends durst accompany it to the grave, or discover their gratitude and respect by any symptoms of sorrow[r].

Odious conduct of Arran.

ARRAN, no less profligate in private life, than audacious in his public conduct, soon after drew

[q] Crawf. Mem. App. iii.

[r] Crawf. Mem. 334. Spotsw. 314.

BOOK VI. 1591.

the attention of his countrymen, by his infamous marriage with the Counteſs of March. Before he grew into favour at court, he had been often entertained in her huſband's houſe, and without regarding the laws of hoſpitality or of gratitude, carried on a criminal intrigue with the wife of his benefactor, a woman young and beautiful, but, according to the deſcription of a cotemporary Hiſtorian, "intolerable in all the imperfections incident to her ſex." Impatient of any reſtraint upon their mutual deſires, they, with equal ardour, wiſhed to avow their union publicly, and to legitimate, by a marriage, the offspring of their unlawful paſſion. The Counteſs petitioned to be divorced from her huſband, for a reaſon which no modeſt woman will ever plead. The judges, over-awed by Arran, paſſed ſentence without delay. This infamous ſcene was concluded by a marriage, ſolemnized with great pomp, and beheld by all ranks of men with the utmoſt horror[s].

July 6.

Octob. 24.

A PARLIAMENT was held this year, at the opening of which ſome diſputes aroſe between Arran and the Earl now created Duke of Lennox. Arran, haughty by nature, and puſhed on by his wife's ambition, began to affect an equality with the Duke, under whoſe protection he had hitherto been contented to place himſelf. After various attempts to form a party in the council againſt Lennox, he found him fixed ſo firmly in the King's affections, that it was impoſſible to ſhake him, and rather than loſe all intereſt at court,

[s] Spotſw. 315.

from

from which he was baniſhed, he made the moſt humble ſubmiſſions to the favourite, and again recovered his former credit. This rupture contributed, however, to render the Duke ſtill more odious to the nation. During the continuance of it, Arran affected to court the clergy, pretended an extraordinary zeal for the Proteſtant religion, and laboured to confirm the ſuſpicions, which were entertained of his rival, as an emiſſary of the houſe of Guiſe, and a favourer of Popery. As he was ſuppoſed to be acquainted with the Duke's moſt ſecret deſigns, his calumnies were liſtened to with greater credit than was due to his character. To this rivalſhip between Lennox and Arran, during the continuance of which, each endeavoured to conciliate the good-will of the clergy, we muſt aſcribe ſeveral acts of this parliament uncommonly favourable to the Church, particularly one, which aboliſhed the practice, introduced by Morton, of appointing but one miniſter to ſeveral pariſhes. 1581.

No notice hath been taken for ſeveral years of Eccleſiaſtical affairs. While the civil government underwent ſo many extraordinary revolutions, the Church was not free from convulſions. Two objects, chiefly, engroſſed the attention of the Clergy. The one was the forming a ſyſtem of diſcipline, or Eccleſiaſtical polity. After long labour, and many difficulties, this ſyſtem was at laſt brought to ſome degree of perfection. The Aſſembly ſolemnly approved of it, and appointed it to be laid before the Privy Council, in order to obtain the ratification of it in Parliament. But Morton, Eccleſiaſtical affairs.

BOOK VI. 1581.

Morton, during his adminiſtration, and thoſe who, after his fall, governed the King, were equally unwilling to ſee it carried into execution; and by ſtarting difficulties, and throwing in objections, prevented it from receiving a legal ſanction. The other point in view was the abolition of the Epiſcopal order. The Biſhops were ſo devoted to the King, to whom they owed their promotion, that the function itſelf was by ſome reckoned dangerous to civil liberty. Being allowed a ſeat in Parliament, and diſtinguiſhed by titles of honour, theſe not only occaſioned many avocations from their ſpiritual employments, but ſoon rendered their character and manners extremely different from thoſe of the Clergy in that age. The nobles viewed their power with jealouſy; the populace conſidered their lives as profane; and both wiſhed their downfal with equal ardour. The perſonal emulation between Melvil and Adamſon, a man of learning, and eminent for his popular eloquence, who was promoted, on the death of Douglas, to be Archbiſhop of St. Andrew's, mingled itſelf with the paſſions on each ſide, and heightened them. Attacks were made, in every aſſembly, on the order of Biſhops; their privileges were gradually circumſcribed; and at laſt an act was paſſed, declaring the office of Biſhop, as it was then exerciſed within the realm, to have neither foundation nor warrant in the word of God; and requiring, under pain of excommunication, all who now poſſeſſed that office, inſtantly to reſign it, and to abſtain from preaching or adminiſtering the ſacraments, until they

ſhould

ſhould receive permiſſion from the General Aſſembly. The court did not acquieſce in this decree. A vacancy happening ſoon after in the ſee of Glaſgow, Montgomery miniſter at Stirling, a man vain, fickle, preſumptuous, and more apt, by the blemiſhes in his character, to have alienated the people from an order already beloved, than to reconcile them to one which was the object of their hatred, made an infamous ſimoniacal bargain with Lennox, and on his recommendation was choſen Archbiſhop. The Preſbytery of Stirling, of which he was a member, the Preſbytery of Glaſgow, whither he was to be tranſlated, the General Aſſembly, vied with each other in proſecuting him on that account. In order to ſcreen Montgomery, James made trial both of gentle and of rigorous meaſures, and both were equally ineffectual. The General Aſſembly was juſt ready to pronounce againſt him the ſentence of excommunication, when an Herald entered, and commanded them, in the King's name, and under pain of rebellion, to ſtop further proceedings. Even this injunction they deſpiſed; and though Montgomery, by his tears, and ſeeming penitence, procured a ſhort reſpite, the ſentence was at laſt iſſued by their appointment, and publiſhed in all the churches throughout the kingdom.

1581.

1582.

The firmneſs of the Clergy in a collective body was not greater than the boldneſs of ſome individuals, particularly of the Miniſters of Edinburgh. They inveighed daily againſt the corruptions in the adminiſtration, and, with the freedom

BOOK VI. 1582.

dom of speech admitted into the pulpit in that age, named Lennox and Arran as the chief authors of the grievances under which the church and kingdom groaned. The courtiers, in their turn, complained to the King of the insolent and seditious spirit of the Clergy. In order to check the boldness of their discourses, James issued a proclamation, commanding Dury, one of the most popular Ministers, not only to leave the town, but to abstain from preaching in any other place. Dury complained to the judicatories of this encroachment upon the immunities of his office. They approved of the doctrine which he had delivered; and he determined to disregard the royal proclamation. But the magistrates being determined to compel him to leave the city, according to the King's orders, he was obliged to abandon his charge, after protesting publicly, at the cross of Edinburgh, against the violence which was put upon him. The people accompanied him to the gates with tears and lamentations; and the Clergy denounced the vengeance of Heaven against the authors of this outrage[t].

In this perilous situation stood the Church; the authority of its judicatories called in question, and the liberty of the pulpit restrained, when a sudden revolution of the civil government procured them unexpected relief.

His favourites engage the King in unpopular measures.

The two favourites, by their ascendant over the King, possessed uncontrouled power in the kingdom, and exercised it with the utmost wantonness.

[t] Cald. Assemb. 1576—1582. Spotsw. 277, &c.

James

James usually resided at Dalkeith, or Kinneil, the seats of Lennox and of Arran, and was attended by such company, and employed in such amusements, as did not suit his dignity. The services of those who had contributed most to place the Crown on his head, were but little remembered. Many who had opposed him with the greatest virulence, enjoyed the rewards and honours to which the others were entitled. Exalted notions of regal prerogative, utterly inconsistent with the constitution of Scotland, being instilled by his favourites into the mind of the young Monarch, unfortunately made, at that early age, a deep impression there, and became the source of almost all his subsequent errors in the government of both kingdoms[u]. Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the slightest neglect of any of the numerous forms, which are peculiar to feudal holdings, they were fined with unusual and intolerable rigour. The Lord Chamberlain revived the obsolete jurisdiction of his office over the Boroughs, and they were subjected to exactions no less grievous. A design seemed, likewise, to have been formed to exasperate Elizabeth, and to dissolve the alliance with her, which all good Protestants esteemed the chief security of their religion in Scotland. A close correspondence was carried on between the King and his mother, and considerable progress made towards uniting their titles to the Crown, by

[u] Cald. iii. 152.

such

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such a treaty of association, as Maitland had projected; which could not fail of endangering or diminishing his authority, and must have proved fatal to those who had acted against her with greatest vigour[x].

The nobles conspire against them.

ALL these circumstances irritated the impatient spirit of the Scottish nobles, who resolved to tolerate no longer the insolence of the two minions, or to stand by, while their presumption and inexperience ruined both the King and kingdom. Elizabeth, who, during the administration of the four Regents, had the entire direction of the affairs of Scotland, felt herself deprived of all influence in that kingdom ever since the death of Morton, and was ready to countenance any attempt to rescue the King out of the hands of favourites, who were leading him into measures so repugnant to all her views. The Earls of Mar and Glencairn, Lord Ruthven, lately created Earl of Gowrie, Lord Lindsay, Lord Boyd, the Tutor of Glamis, the eldest son of Lord Oliphant, with several Barons and gentlemen of distinction, entered into a combination for that purpose; and as changes in administration, which, among polished nations, are brought about slowly and silently, by artifice and intrigue, were in that rude age effected suddenly and by violence, the King's situation, and the security of the favourites, encouraged the conspirators to have immediate recourse to force.

[x] Cald. iii. 157.

JAMES,

1582. Seize the King's perſon at Ruthven.

James, after having reſided for ſome time in Athol, where he enjoyed his favourite amuſement of hunting, was now returning towards Edinburgh, with a ſmall train. He was invited to Ruthven caſtle, which lay in his way; and as he ſuſpected no danger, he went thither in hopes of farther ſport. The multitude of ſtrangers whom he found there gave him ſome uneaſineſs; and as thoſe who were in the ſecret arrived every moment from different parts, the appearance of ſo many new faces increaſed his fears. He concealed his uneaſineſs, however, with the utmoſt care; and next morning prepared for the field, expecting to find there ſome opportunity of making his eſcape. But juſt as he was ready to depart, the Nobles entered his bed-chamber in a body, and preſented a memorial againſt the illegal and oppreſſive actions of his two favourites, whom they repreſented as moſt dangerous enemies to the religion and liberties of the nation. James, though he received this remonſtrance with the complaiſance which was neceſſary in his preſent ſituation, was extremely impatient to be gone; but as he approached the door of his apartment, the Tutor of Glamis rudely ſtopped him. The King complained, expoſtulated, threatened, and finding all theſe without effect, burſt into tears: "No matter," ſaid Glamis fiercely, "better children weep than bearded men." Theſe words made a deep impreſſion on the King's mind, and were never forgotten. The conſpirators, without regarding his tears or indignation, diſmiſſed ſuch of his followers as they ſuſpected; allowed none but

August 22.

BOOK VI. 1582.

persons of their own party to have access to him; and though they treated him with great respect, guarded his person with the utmost care. This enterprise is usually called, by our historians, *The raid of Ruthven*[y].

Commit Arran to prison.

Lennox and Arran were astonished to the last degree at an event so unexpected, and so fatal to their power. The former endeavoured, but without success, to excite the inhabitants of Edinburgh to take arms in order to rescue their Sovereign from captivity. The latter, with his usual impetuosity, mounted on horseback the moment he heard what had befallen the King, and with a few followers, rode towards Ruthven-castle; and as a considerable body of the conspirators, under the command of the Earl of Mar, lay in his way ready to oppose him, he separated himself from his companions, and with two attendants arrived at the gate of the castle. At the sight of a man so odious to his country, the indignation of the conspirators rose, and instant death must have been the punishment of his rashness, if the friendship of Gowrie, or some other cause not explained by our historians, had not saved a life so pernicious to the kingdom. He was confined, however, to the castle of Stirling, without being admitted into the King's presence.

Command Lennox to leave the kingdom.

The King, though really the prisoner of his own subjects, with whose conduct he could not help discovering many symptoms of disgust, was obliged to publish a proclamation, signifying his

[y] Cald. iii. 134. Spotsw. 320. Melv. 357.

appro-

approbation of their enterprise, declaring that he was at full liberty, without any restraint or violence offered to his person; and forbidding any attempt against those concerned in the *Raid of Ruthven*, under pretence of rescuing him out of their hands. At the same time, he commanded Lennox to leave Scotland before the twentieth of September[z]. BOOK VI. 1582. August 28.

Soon after, Sir George Carey, and Robert Bowes, arrived as ambassadors from Elizabeth. The pretext of their embassy was to inquire after the King's safety; to encourage and countenance the conspirators was the real motive of it. By their intercession, the Earl of Angus, who, ever since the death of his uncle Morton, had lived in exile, obtained leave to return. And the accession of a nobleman so powerful and so popular strengthened the faction[a]. The conspirators countenanced by Elizabeth.

Lennox, whose amiable and gentle qualities had procured him many friends, and who received private assurances that the King's favour towards him was in no degree abated, seemed resolved, at first, to pay no regard to a command extorted by violence, and no less disagreeable to James, than it was rigorous with regard to himself. But the power of his enemies, who were masters of the King's person, who were secretly supported by Elizabeth, and openly applauded by the Clergy, deterred him from any enterprise, the success of which was dubious, and the danger certain, both to himself and to his Sovereign.

[z] Cald. iii. 135. 138. [a] Cald. iii. 152.

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He put off the time of his departure, however, by various artifices, in expectation either that James might make his escape from the conspirators, or that fortune might present some more favourable opportunity of taking arms for his relief.

Their conduct approved by an Assembly and a Convention of estates.

On the other hand, the conspirators were extremely solicitous not only to secure the approbation of their countrymen, but to obtain some legal sanction of their enterprise. For this purpose they published a long declaration, containing the motives which had induced them to venture on such an irregular step, and endeavoured to heighten the public indignation against the favourites, by representing, in the strongest colours, their inexperience and insolence, their contempt of the nobles, their violation of the privileges of the Church, and their oppression of the people. They obliged the King, who could not with safety refuse any of their demands, to grant them a remission in the most ample form; and not satisfied with that, they applied to the Assembly of the Church, and easily procured an act, declaring, "that they had done good and acceptable service to God, to their Sovereign, and to their native country;" and requiring all sincere Protestants to concur with them in carrying forward such a laudable enterprise. In order to add the greater weight to this act, every Minister was enjoined to read it, in his own pulpit, and to inflict the censures of the Church on those who set themselves in opposition to so good a cause. A Convention of estates assembled a few days after, passed an act to the same effect, and granted full

Oct. 5.

full indemnity to the conſpirators for every thing they had done[b].

1582. Lennox's departure from Scotland.

James was conducted by them, firſt to Stirling, and afterwards to the palace of Holy-rood-houſe; and though he was received every where with the external marks of reſpect due to his dignity, his motions were carefully obſerved, and he was under a reſtraint no leſs ſtrict than at the firſt moment when he was ſeized by the conſpirators. Lennox, after eluding many commands to depart out of the kingdom, was at laſt obliged to begin his journey. He lingered, however, for ſome time in the neighbourhood of Edinburgh, as if he had ſtill intended to make ſome effort towards reſtoring the King to liberty. But either from the gentleneſs of his own diſpoſition, averſe to bloodſhed and the diſorders of civil war, or from ſome other cauſe unknown to us, he abandoned the deſign, and ſet out for France, by the way of England. The King iſſued the order for his departure with no leſs reluctance, than the Duke obeyed it; and both mourned a ſeparation, which neither of them had power to prevent. Soon after his arrival in France, the fatigue of the journey, or the anguiſh of his mind, threw him into a fever. In his laſt moments he diſcovered ſuch a firm adherence to the Proteſtant faith, as fully vindicates his memory from the imputation of an attachment to Popery, with which he had been uncharitably loaded in Scotland[c]. As he was the earlieſt, and beſt beloved, he was, per-

Dec. 30.

[b] Cald. iii. 177. 187. 200. Spotſw. 322.

[c] Spotſw. 324. Cald. iii. 172.

BOOK VI. 1582.

haps, the moſt deſerving, though not the moſt able, of all James's favourites. The warmth and tenderneſs of his Maſter's affection for him was not abated by death itſelf. By many acts of kindneſs and generoſity towards his poſterity, the King not only did great honour to the memory of Lennox, but ſet his own character in one of its moſt favourable points of view.

Mary's anxiety about her ſon.

THE ſucceſs of the conſpiracy, which deprived James of liberty, made great noiſe over all Europe; and at laſt reached the ears of Mary in the priſon to which ſhe was confined. As her own experience had taught her what injuries a captive Prince is expoſed to ſuffer; and as many of thoſe who were now concerned in the enterpriſe againſt her ſon, were the ſame perſons whom ſhe conſidered as the chief authors of her own misfortunes, it was natural for the tenderneſs of a mother to apprehend that the ſame calamities were ready to fall on his head; and ſuch a proſpect did not fail of adding to the diſtreſs and horror of her own ſituation. In the anguiſh of her heart, ſhe wrote to Elizabeth, complaining in the bittereſt terms of the unprecedented rigour with which ſhe herſelf had been treated, and beſeeching her not to abandon her ſon to the mercy of his rebellious ſubjects; nor permit him to be involved in the ſame misfortunes under which ſhe had ſo long groaned. The peculiar vigour and acrimony of ſtyle, for which this letter is remarkable, diſcover both the high ſpirit of the Scottiſh Queen, unſubdued by her ſufferings, and the violence of her indignation at Elizabeth's artifices and ſeverity.

But

But it was ill adapted to gain the end she had in view, and accordingly it neither procured any mitigation of the rigour of her own confinement, nor any interposition in favour of the King[d]. 1582.

1583. Ambassadors arrive from France and England.

Henry III. who, though he feared and hated the Princes of Guise, was often obliged to court their favour, interposed with warmth, in order to extricate James out of the hands of a party so intirely devoted to the English interest. He commanded M. de la Motte Fenelon, his ambassador at the court of England, to repair to Edinburgh, and to contribute his utmost endeavours towards placing James in a situation more suitable to his dignity. As Elizabeth could not, with decency, refuse him liberty to execute this commission, she appointed Davison to attend him into Scotland as her Envoy, under colour of concurring with him in the negotiation, but in reality to be a spy upon his motions, and to obstruct his success. James, whose title to the Crown had not hitherto been recognised by any of the Princes on the continent, was extremely fond of such an honourable embassy from the French Monarch; and, on that account, as well as for the sake of the errand on which he came, received Fenelon with great respect. The nobles, in whose power the King was, did not relish this interposition of the French court, which had long lost its ancient influence over the affairs of Scotland. The Clergy were alarmed at the danger to which religion would be exposed, if the Princes of Guise Jan. 7.

[d] Camd. 489.

BOOK VI. 1583.

should recover any ascendant over the public councils. Though the King tried every method for restraining them within the bounds of decency, they declaimed against the court of France, against the Princes of Guise, against the Ambassador, against entering into any alliance with such notorious persecutors of the Church of God, with a vehemence which no regular government would now tolerate, but which was then extremely common. The Ambassador, watched by Davison, distrusted by the nobles, and exposed to the insults of the Clergy and of the people, returned into England without procuring any change in the King's situation, or receiving any answer to a proposal which he made, that the government should be carried on in the joint names of James and the Queen his mother[e].

James escapes out of the hands of the conspirators.

Meanwhile, James, though he dissembled with great art, became every day more uneasy under his confinement; his uneasiness rendered him continually attentive to find out a proper opportunity for making his escape; and to this attention he at last owed his liberty, which the King of France was not able, nor the Queen of England willing, to procure for him. As the conspirators had forced Lennox out of the kingdom, and kept Arran at a distance from court, they grew secure; and imagining that time had reconciled the King to them, and to his situation, they watched him with little care. Some occasions of discord had arisen among themselves; and the French Ambas-

[e] Cald. iii. 207. Spotsw. 324. Murdin, 372, &c. See Append. No. IX.

sador,

sador, by fomenting these during the time of his residence in Scotland, had weakened the union, in which alone their safety consisted[f]. Colonel William Stewart, the commander of the band of gentlemen who guarded the King's person, being gained by James, had the principal merit in the scheme for restoring his Master to liberty. Under pretence of paying a visit to the Earl of March his grand uncle, James was permitted to go from Falkland to St. Andrew's. That he might not create any suspicion, he lodged at first in an open defenceless house in the town, but pretending a curiosity to see the castle, no sooner was he entered with some of his attendants whom he could trust, than Colonel Stewart commanded the gates to be shut, and excluded all the rest of his train. Next morning the Earls of Argyll, Huntly, Crawford, Montrose, Rothes, with others to whom the secret had been communicated, entered the town with their followers; and though Mar, with several of the leaders of the faction, appeared in arms, they found themselves so far out-numbered, that it was in vain to think of recovering possession of the King's person, which had been in their power somewhat longer than ten months. James was naturally of so soft and ductile a temper, that those who were near his person commonly made a deep impression on his heart, which was formed to be under the sway of favourites. As he remained implacable and unreconciled to the conspirators, during so long a time, and at a period

June 27.

[f] Camd. 482.

BOOK VI. 1583.

of life when resentments are rather violent than lasting, they must either have improved the opportunities of insinuating themselves into favour with little dexterity, or the indignation with which this first insult to his person and authority filled him, must have been very great.

Resolves, however, to treat them with moderation.

His joy at his escape was youthful and excessive. He resolved, however, by the advice of Sir James Melvil, and his wisest counsellors, to act with the utmost moderation. Having called into his presence the leaders of both factions, the neighbouring gentry, the deputies of the adjacent boroughs, the Ministers, and the heads of colleges, he declared, that although he had been held under restraint for some time by violence, he would not impute that as a crime to any man, but, without remembering the irregularities which had been so frequent during his minority, would pass a general act of oblivion, and govern all his subjects with undistinguishing and equal affection. As an evidence of his sincerity, he visited the Earl of Gowrie at Ruthven-castle, and granted him a full pardon of any guilt he had contracted, by the crime committed in that very place[g].

But Arran regains his ascendant over him;

But James did not adhere long to this prudent and moderate plan. His former favourite, the Earl of Arran, had been permitted for some time to reside at Kinneil, one of his country seats. As soon as the King felt himself at liberty, his love for him began to revive, and he expressed a strong desire to see him. The courtiers violently opposed

[g] Melv. 272.

the

the return of a minion, whose insolent and overbearing temper they dreaded, as much as the nation detested his crimes. James, however, continued his importunity, and promising that he should continue with him no longer than one day, they were obliged to yield. This interview rekindled ancient affection; the King forgot his promise; Arran regained his ascendant over him; and within a few days resumed the exercise of power, with all the arrogance of an undeserving favourite, and all the rashness peculiar to himself [h]. 1583.

and the King pursues another plan.

The first effect of his influence was a proclamation with regard to those concerned in the *Raid of Ruthven*. They were required to acknowledge their crime in the humblest manner; and the King promised to grant them a full pardon, provided their future conduct were such as did not oblige him to remember past miscarriages. The tenour of this proclamation was extremely different from the act of oblivion which the conspirators had been encouraged to expect. Nor did any of them reckon it safe to rely on a promise clogged with such an equivocal condition, and granted by a young Prince under the dominion of a minister void of faith, regardless of decency, and transported by the desire of revenge even beyond the usual ferocity of his temper. Many of the leaders, who had at first appeared openly at court, retired to their own houses; and, foreseeing the dangerous storm which was gathering, began to look out for a retreat in foreign countries [i].

[h] Melv. 274. [i] Id. 278. Spotsw. 326. Cald. iii. 330.

BOOK VI.

1583. Elizabeth's solicitations in behalf of the conspirators. August 7.

ELIZABETH, who had all along protected the conspirators, was extremely disgusted with measures which tended so visibly to their destruction, and wrote to the King a harsh and haughty letter, reproaching him in a style very uncommon among Princes, with breach of faith in recalling Arran to court, and with imprudence in proceeding so rigorously against his best and most faithful subjects. James, with a becoming dignity, replied, that promises extorted by violence, and conditions yielded out of fear, were no longer binding, when these were removed; that it belonged to him alone to chuse what ministers he would employ in his service; and that though he resolved to treat the conspirators at Ruthven with the utmost clemency, it was necessary, for the support of his authority, that such an insult on his person should not pass altogether uncensured[k].

Sept. 7. Walsingham's embassy into Scotland.

ELIZABETH's letter was quickly followed by Walsingham her secretary, whom she appointed her Ambassador to James, and who appeared at the Scottish court with a splendour and magnificence well calculated to please and dazzle a young Prince. Walsingham was admitted to several conferences with James himself, in which he insisted on the same topics contained in the letter, and the King repeated his former answers.

AFTER suffering several indignities from the arrogance of Arran and his creatures, he returned to England, without concluding any new treaty with the King. Walsingham was, next to Bur-

[k] Melv. 279.

leigh,

leigh, the Miniſter on whom the chief weight of the Engliſh adminiſtration reſted; and when a perſon of his rank ſtept ſo far out of the ordinary road of buſineſs, as to undertake a long journey in his old age, and under a declining ſtate of health, ſome affair of conſequence was ſuppoſed to be the cauſe, or ſome important event was expected to be the effect of this meaſure. But as nothing conſpicuous either occaſioned, or followed this embaſſy, it is probable that Elizabeth had no other intention in employing this ſagacious Miniſter, than to diſcover, with exactneſs, the capacity and diſpoſition of the Scottiſh King, who was now arrived at a time of life, when, with ſome degree of certainty, conjectures might be formed concerning his character and future conduct. As James poſſeſſed talents of that kind, which make a better figure in converſation than in action, he gained a great deal by this interview with the Engliſh ſecretary, who, notwithſtanding the cold reception which he met with, gave ſuch an advantageous repreſentation of his abilities, as determined Elizabeth to treat him, henceforward, with greater decency and reſpect[1].

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Elizabeth's eagerneſs to protect the conſpirators rendered James more violent in his proceedings againſt them. As they had all refuſed to accept of pardon upon the terms which he had offered, they were required, by a new proclamation, to ſurrender themſelves priſoners. The Earl of Angus alone complied; the reſt either fled into

[1] Melv. 293. Cald. iii. 258. Jebb, ii. 536.

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England, or obtained the King's licence to retire into foreign parts. A Convention of eſtates was held, the members of which, deceived by an unworthy artifice of Arran's, declared thoſe concerned in the *Raid of Ruthven* to have been guilty of high treaſon; appointed the act paſſed laſt year approving of their conduct to be expunged out of the records; and engaged to ſupport the King in proſecuting the fugitives with the utmoſt rigour of law.

1583. Decem. 17.

THE conſpirators, though far from having done any thing that was uncommon in a barbarous age, among mutinous nobles, and under an unſettled ſtate of government, muſt be acknowledged to have been guilty of an act of treaſon againſt their Sovereign; and James, who conſidered their conduct in this light, had good reaſon to boaſt of his clemency, when he offered to pardon them upon their confeſſing their crime. But, on the other hand, it muſt be allowed that, after the King's voluntary promiſe of a general oblivion, they had ſome reaſon to complain of breach of faith, and, without the moſt unpardonable imprudence, could not have put their lives in Arran's power.

1584. The Clergy favour the conſpirators, and irritate the King.

THE intereſt of the Church was conſiderably affected by theſe contrary revolutions. While the conſpirators kept poſſeſſion of power, the Clergy not only recovered, but extended their privileges. As they had formerly declared the hierarchy to be unlawful, they took ſome bold meaſures towards exterminating the Epiſcopal order out of the Church; and it was owing more to Adamſon's

dexterity in perplexing and lengthening out the process for that purpose, than to their own want of zeal, that they did not deprive, and perhaps excommunicate all the Bishops in Scotland. When the King recovered his liberty, things put on a very different aspect. The favour bestowed upon Arran, the enemy of every thing decent and sacred, and the rigorous prosecution of those nobles who had been the most zealous defenders of the Protestant cause, were considered as sure presages of the approaching ruin of the Church. The Clergy could not conceal their apprehensions, nor view this impending danger in silence. Drury, who had been restored to his office as one of the Ministers of Edinburgh, openly applauded the *Raid of Ruthven* in the pulpit, at which the King was so enraged, that, notwithstanding some symptoms of his submission, he commanded him to resign his charge in the city. Mr. Andrew Melvil, being summoned before the Privy Council to answer for the doctrine which he had uttered in a sermon at St. Andrew's, and accused of comparing the present grievances of the nation with those under James III. and of intimating obliquely that they ought to be redressed in the same manner, thought it incumbent on him to behave with greater firmness. He declined the jurisdiction of a Civil court, in a cause which he maintained to be purely Ecclesiastical; the Presbytery, of which he was a member, had, as he contended, the sole right to call him to account for words spoken in the pulpit; and neither the King nor council could judge, in the first instance, 1584.

of

BOOK VI. 1584.

of the doctrine delivered by Preachers, without violating the immunities of the Church. This exemption from civil jurisdiction was a privilege which the Popish Ecclesiastics, admirable judges of whatever contributed to increase the lustre or power of their body, had long struggled for, and had at last obtained. If the same plea had now been admitted, the Protestant clergy would have become independent on the civil Magistrate; and an order of men extremely useful to society while they inculcate those duties which tend to promote its happiness and tranquillity, might have become no less pernicious, by teaching, without fear or controul, the most dangerous principles, or by exciting their hearers to the most desperate and lawless actions. The King, jealous to excess of his prerogative, was alarmed at this daring encroachment on it; and as Melvil, by his learning and zeal, had acquired the reputation and authority of head of the party, he resolved to punish him with the rigour which that pre eminence rendered necessary, and to discourage, by a timely severity, the revival of such a dangerous claim. Melvil, however, avoided his rage, by flying into England; and the pulpits resounded with complaints that the King had extinguished the light of learning in the kingdom, and deprived the Church of the ablest and most faithful guardian of its liberties and discipline[m].

These violent declamations of the Clergy against the measures of the court were extremely

[m] Spotsw. 330. Cald. iii, 304.

accept-

acceptable to the people. The conſpirators, though driven out of the kingdom, ſtill poſſeſſed great influence there; and as they had every thing to fear from the reſentment of a young Prince, irritated by the furious counſels of Arran, they never ceaſed ſoliciting their adherents to take arms in their defence. Gowrie, the only perſon among them who had ſubmitted to the King, and accepted of a pardon, ſoon repented of a ſtep which loſt him the eſteem of one party, without gaining the confidence of the other; and, after ſuffering many mortifications from the King's neglect, and the haughtineſs of Arran, he was at laſt commanded to leave Scotland, and to reſide in France. While he waited at Dundee for an opportunity to embark, he was informed that the Earls of Angus, Mar, and the Tutor of Glamis, had concerted a ſcheme for ſurpriſing the caſtle of Stirling. In his ſituation, little perſuaſion was neceſſary to draw him to engage in it. Under various pretexts, he put off his voyage, and lay ready to take arms on the day fixed by the conſpirators for the execution of their enterpriſe. His lingering ſo long at Dundee, without any apparent reaſon, awakened the ſuſpicion of the court, proved fatal to himſelf, and diſappointed the ſucceſs of the conſpiracy. Colonel William Stewart ſurrounded the houſe where he lodged with a body of ſoldiers, and, in ſpite of his reſiſtance, took him priſoner. Two days after, Angus, Mar, and Glamis, ſeized the caſtle of Stirling, and erecting their ſtandard there, publiſhed a manifeſto, declaring that they took arms for no other

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other reaſon but to remove from the King's preſence a minion who had acquired power by the moſt unworthy actions, and who exerciſed it with the moſt intolerable inſolence. The account of Gowrie's impriſonment ſtruck a damp upon their ſpirits. They imputed it to treachery on his part, and ſuſpected, that as he had formerly deſerted, he had now betrayed them. At the ſame time, Elizabeth having neglected to ſupply them, in due time, with a ſum of money, which ſhe had promiſed to them, and their friends and vaſſals coming in ſlowly, they appeared irreſolute and diſheartened; and as the King, who acted with great vigour, advanced towards them at the head of twenty thouſand men, they fled precipitately towards England, and with difficulty made their eſcape[n]. This raſh and feeble attempt produced ſuch effects as uſually follow diſappointed conſpiracies. It not only hurt the cauſe for which it was undertaken, but added ſtrength and reputation to the King; confirmed Arran's power; and enabled them to purſue their meaſures with more boldneſs, and greater ſucceſs. Gowrie was the firſt victim of their reſentment. After a very informal trial, a jury of Peers found him guilty of treaſon, and he was publicly beheaded at Stirling.

May 22. A Parliament held.

To humble the Church was the King's next ſtep. But as it became neceſſary, for this purpoſe, to call in the aid of the legiſlative authority, a Parliament was haſtily ſummoned: and while ſo many of the nobles were baniſhed out of the

[n] Home's Hiſt. of Houſe of Dougl. 376. Spotſw. 330. Calderw. iii. 324, &c.

kingdom,

kingdom, or forbidden to appear in the King's preſence; while Arran's haughtineſs kept ſome at a diſtance, and intimidated others; the meeting conſiſted only of thoſe who were abſolutely at the devotion of the court. In order to conceal the laws which were framing from the knowledge of the Clergy, the Lords of the Articles were ſworn to ſecrecy; and when ſome of the Miniſters, who either ſuſpected, or were informed of the danger, deputed one of their number to declare their apprehenſions to the King, he was ſeized at the palace-gate, and carried to a diſtant priſon. Others, attempting to enter the Parliament-houſe, were refuſed admittance[o]; and ſuch laws were paſſed, as totally overturned the conſtitution and diſcipline of the Church. The refuſing to acknowledge the juriſdiction of the Privy Council; the pretending an exemption from the authority of the civil courts; the attempting to diminiſh the rights and privileges of any of the three eſtates in parliament, were declared to be high treaſon. The holding aſſemblies, whether Civil or Eccleſiaſtical, without the King's permiſſion or appointment; the uttering, either privately or publicly, in ſermons or in declamations, any falſe and ſcandalous reports againſt the King, his anceſtors, or miniſters, were pronounced capital crimes[p].

Severe laws againſt the Church.

May 22.

When theſe laws were publiſhed at the croſs of Edinburgh, according to the ancient cuſtom, Mr. Robert Pont, Miniſter of St. Cuthbert's, and one of the Lords of Seſſion, ſolemnly pro-

[o] Cald. iii. 365.

[p] Parl. 8 Jac. VI.

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teſted againſt them, in the name of his brethren, becauſe they had been paſſed without the knowledge or conſent of the Church. Ever ſince the Reformation, the pulpits and eccleſiaſtical judicatories had both been eſteemed ſacred. In the former, the Clergy had been accuſtomed to cenſure, and admoniſh with unbounded liberty. In the latter, they exerciſed an uncontrouled and independent juriſdiction. The blow was now aimed at both theſe privileges. Theſe new ſtatutes were calculated to render churchmen as inconſiderable as they were indigent; and as the avarice of the nobles had ſtripped them of the wealth, the King's ambition was about to deprive them of the power which once belonged to their order. No wonder the alarm was univerſal, and the complaints loud. All the Miniſters of Edinburgh forſook their charge, and fled into England. The moſt eminent Clergymen throughout the kingdom imitated their example. Deſolation and aſtoniſhment appeared in every part of the Scottiſh Church; the people bewailed the loſs of Paſtors, whom they eſteemed; and full of conſternation at an event ſo unexpected, openly expreſſed their rage againſt Arran, and began to ſuſpect the King himſelf to be an enemy to the Reformed Religion[q].

[q] Spotſw. 333.

THE HISTORY OF SCOTLAND.

BOOK VII.

BOOK VII.

1584. Throkmorton's conſpiracy againſt Elizabeth.

WHILE Scotland was torn by inteſtine factions, Elizabeth was alarmed with the rumour of a project in agitation for ſetting Mary at liberty. Francis Throkmorton, a Cheſhire gentleman, was ſuſpected of being deeply concerned in the deſign, and on that ſuſpicion he was taken into cuſtody. Among his papers were found two liſts, one of the principal harbours in the kingdom, with an account of their ſituation, and of the depth of water in each; the other, of all the eminent Roman Catholics in England. This circumſtance confirmed the ſuſpicion againſt him, and ſome dark and deſperate conſpiracy was ſuppoſed juſt ready to break out. At firſt he boldly avowed his innocence, and declared that the two papers were forged by the Queen's Miniſters, in order to intimidate or inſnare him; and he even

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endured the rack with the utmoſt fortitude. But being brought a ſecond time to the place of torture, his reſolution failed him, and he not only acknowledged that he had held a ſecret correſpondence with the Queen of Scots, but diſcovered a deſign that was formed to invade England. The Duke of Guiſe, he ſaid, undertook to furniſh troops, and to conduct the enterpriſe. The Pope and King of Spain were to ſupply the money neceſſary for carrying it on; all the Engliſh exiles were eager to take arms; many of the Catholics at home would be ready to join them at their landing; Mendoza, the Spaniſh Ambaſſador, who was the life of the conſpiracy, ſpared no pains in fomenting the ſpirit of diſaffection among the Engliſh, or in haſtening the preparations on the Continent; and by his command, he made the two liſts, the copies whereof had been found in his poſſeſſion. This confeſſion he retracted at his trial; returned to it again after ſentence was paſſed upon him; and retracted it once more at the place of execution[a].

To us in the preſent age, who are aſſiſted in forming our opinion of this matter by the light which time and hiſtory have thrown upon the deſigns and characters of the Princes of Guiſe, many circumſtances of Throkmorton's confeſſion appear to be extremely remote from truth, or even from probability. The Duke of Guiſe was, at that juncture, far from being in a ſituation to undertake foreign conqueſts. Without either

[a] Holingſhead, 1370.

power

power or office at court; hated by the King, and perſecuted by the favourites, he had no leiſure for any thoughts of diſturbing the quiet of neighbouring ſtates; his vaſt and ambitious mind was wholly occupied in laying the foundation of that famous league, which ſhook the throne of France. But at the time when Elizabeth detected this conſpiracy, the cloſe union between the houſe of Guiſe and Philip was remarkable to all Europe; and as their great enterpriſe againſt Henry III. was not yet diſcloſed, as they endeavoured to conceal that under their threatenings to invade England, Throkmorton's diſcovery appeared to be extremely probable; and Elizabeth, who knew how ardently all the parties mentioned by him wiſhed her downfal, thought that ſhe could not guard her kingdom with too much care. The indiſcreet zeal of the Engliſh exiles increaſed her fears. Not ſatisfied with inceſſant outcries againſt her ſeverity towards the Scottiſh Queen, and her cruel perſecution of her catholic ſubjects, not thinking it enough that one Pope had threatened her with the ſentence of excommunication, and another had actually pronounced it, they now began to diſperſe books and writings, in which they endeavoured to perſuade their diſciples, that it would be a meritorious action to take away her life; they openly exhorted the maids of honour to treat her as Judith did Holofernes, and, by ſuch an illuſtrious deed, to render their own names honourable and ſacred in the Church throughout all future ages[b]. For all theſe rea-

Deſigns of Mary's adherents againſt Elizabeth.

[b] Camd. 497.

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ſons, Elizabeth not only inflicted the puniſhment of a traitor on Throkmorton, but commanded the Spaniſh ambaſſador inſtantly to leave England; and that ſhe might be in no danger of being attacked within the iſland, ſhe determined to uſe her utmoſt efforts, in order to recover that influence over the Scottiſh councils, which ſhe had for ſome time entirely loſt.

She endeavours to re-eſtabliſh her influence in Scotland, by gaining Arran.

THERE were three different methods, by which Elizabeth might hope to accompliſh this; either by furniſhing ſuch effectual aid to the baniſhed nobles, as would enable them to reſume the chief direction of affairs; or by entering into ſuch a treaty with Mary, as might intimidate her ſon, who being now accuſtomed to govern, would be apt to agree to any terms rather than reſign the ſceptre, or admit an aſſociate in the throne; or by gaining the Earl of Arran, to ſecure the direction of the King his maſter. The laſt was not only the eaſieſt and ſpeedieſt, but moſt likely to be ſucceſsful. This Elizabeth reſolved to purſue; but without laying the other two altogether aſide. With this view ſhe ſent Daviſon, one of her principal ſecretaries, a man of abilities and addreſs, into Scotland. A Miniſter ſo venal as Arran, hated by his own countrymen, and holding his power by the moſt precarious of all tenures, the favour of a young Prince, accepted Elizabeth's offers without heſitation, and deemed the acquiſition of her protection to be the moſt ſolid foundation of his own greatneſs. Soon after he conſented to an interview with Lord Hunſdon the Governor of Berwick, and being honoured with the pompous title of Lieutenant General for the

August 13.

King,

King, he appeared at the place appointed with a splendid train. In Hunsdon's presence he renewed his promises of an inviolable and faithful attachment to the English interest, and assured him that James should enter into no negotiation which might tend to interrupt the peace between the two kingdoms; and as Elizabeth began to entertain the same fears and jealousies concerning the King's marriage, which had formerly disquieted her with regard to his mother's, he undertook to prevent James from listening to any overture of that kind, until he had previously obtained the Queen of England's consent[c].

Severe proceedings against the banished Lords;

The banished Lords and their adherents soon felt the effects of Arran's friendship with England. As Elizabeth had permitted them to take refuge in her dominions, and several of her Ministers were of opinion that she ought to employ her arms in defence of their cause, the fear of this was the only thing which restrained James and his favourite, from proceeding to such extremities against them, as might have excited the pity or indignation of the English, and have prompted them to exert themselves with vigour in their behalf. But every apprehension of this kind being now removed, they ventured to call a parliament, in which an act was passed, attainting Angus, Mar, Glamis, and a great number of their followers. Their estates devolved to the Crown, and according to the practice of the Scottish Monarchs, who were obliged to reward the faction which adhered

August 22.

[c] Cald. iii. 491. Melv. 315. See Append. No. X.

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to them, by dividing with it the ſpoils of the vanquiſhed, James dealt out the greater part of theſe to Arran and his aſſociates[d].

againſt the Clergy.

NOR was the treatment of the Clergy leſs rigorous. All Miniſters, readers, and profeſſors in Colleges were enjoined to ſubſcribe, within forty days, a paper teſtifying their approbation of the laws concerning the Church enacted in laſt parliament. Many, overawed or corrupted by the Court, yielded obedience; others ſtood out. The ſtipends of the latter were ſequeſtered, ſome of the more active committed to priſon, and numbers compelled to fly the kingdom. Thoſe who complied, fell under the ſuſpicion of acting from mercenary or ambitious motives. Thoſe who ſuffered acquired high reputation, by giving ſuch convincing evidence of their firmneſs and ſincerity. The judicatories of the Church were almoſt entirely ſuppreſſed. In ſome places, ſcarce as many Miniſters remained, as to perform the duties of religious worſhip; they ſoon ſunk in reputation among the people, and being prohibited not only from diſcourſing of public affairs, but obliged, by the jealouſy of the adminiſtration, to frame every ſentiment and expreſſion in ſuch a manner, as to give the court no offence, their ſermons were deemed languid, inſipid, and contemptible; and it became the general opinion, that together with the moſt virtuous of the nobles, and the moſt faithful of the Clergy, the power and vigour of religion were now baniſhed out of the kingdom[e].

[d] Cald. iii. 527. [e] Ibid. iii. 589.

MEAN-

MEANWHILE, Elizabeth was carrying on one of thoſe fruitleſs negotiations with the Queen of Scots, which it had become almoſt matter of form to renew every year. They ſerved not only to amuſe that unhappy Princeſs with ſome proſpect of liberty; but furniſhed an apology for eluding the ſolicitations of foreign powers in her behalf; and were of uſe to overawe James, by ſhewing him that ſhe could, at any time, ſet free a dangerous rival to diſpute his authority. Theſe treaties ſhe ſuffered to proceed to what length ſhe pleaſed, and never wanted a pretence for breaking them off, when they became no longer neceſſary. The treaty now on foot was not, perhaps, more ſincere than many which preceded it; the reaſons, however, which rendered it ineffectual were far from being frivolous.

New conſpiracy againſt Elizabeth.

As Crichton a Jeſuit was ſailing from Flanders towards Scotland, the ſhip on board of which he was a paſſenger happened to be chaſed by pirates, who, in that age, often infeſted the narrow ſeas. Crichton, in great confuſion, tore in pieces ſome papers in his cuſtody, and threw them away; but, by a very extraordinary accident, the wind blew them back into the ſhip, and they were immediately taken up by ſome of the paſſengers, who carried them to Wade, the Clerk of the privy council. He, with great induſtry and patience, joined them together, and they were found to contain the account of a plot ſaid to have been formed by the King of Spain, and the Duke of Guiſe, for invading England. The people were not yet recovered from the fear and anxiety occaſioned

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sioned by the conspiracy in which Throkmorton had been engaged, and as his discoveries appeared now to be confirmed by additional evidence, not only all their former apprehensions recurred, but the consternation became general and excessive. As all the dangers, with which England had been threatened for some years, flowed either immediately from Mary herself, or from such as made use of her name to justify their insurrections and conspiracies, this gradually diminished the compassion due to her situation, and the English, instead of pitying, began to fear and to hate her. Elizabeth, under whose wise and pacific reign the English enjoyed tranquillity, and had opened sources of wealth unknown to their ancestors, was extremely beloved by all her people; and regard to her safety, not less than to their own interest, animated them against the Scottish Queen.

Occasions an association in opposition to Mary;

In order to discourage her adherents, it was thought necessary to convince them, by some public deed, of the attachment of the English to their own Sovereign, and that any attempt against her life would prove fatal to her rival. With this

October 19.

view, an *Association* was framed, the subscribers of which bound themselves by the most solemn oaths, "to defend the Queen against all her enemies, "foreign and domestic; and if violence should "be offered to her life, in order to favour the "title of any pretender to the Crown, they not "only engaged never to allow or acknowledge "the person or persons by whom, or for whom, "such a detestable act should be committed, but "vowed, in the presence of the eternal God, to "prosecute

"prosecute such person or persons to the death, "and to pursue them, with their utmost vengeance, to their utter overthrow and extirpation[f]." Persons of all ranks subscribed this combination with the greatest eagerness and unanimity[g]. 1584.

which greatly alarms her.

MARY considered this combination, not only as an avowed design to exclude her from all right of succession, but as the certain and immediate forerunner of her destruction. In order to avert this, she made such feeble efforts as were still in her power, and sent Naué her secretary to court, with offers of more entire resignation to the will of Elizabeth, in every point, which had been the occasion of their long enmity, than all her sufferings hitherto had been able to extort[h]. But whether Mary adhered inflexibly to her privileges as an independent Sovereign, or yielding to the necessity of her situation, endeavoured, by concessions, to sooth her rival, she was equally unsuccessful. Her firmness was imputed to obstinacy, or to the secret hope of foreign assistance; her concessions were either believed to be insincere, or to flow from the fear of some imminent danger. Her present willingness, however, to comply with any terms was so great, that Walsingham warmly urged his mistress to come to a final agreement with her[i]. But Elizabeth was persuaded, that it was the spirit raised by the association which had rendered her so passive and compliant. She always imagined that there was something mysterious

[f] State Trials, 1. 122. [g] Camd. 499.
[h] Camd. ibid. [i] See Appendix, No. XI.

and

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and deceitful in all Mary's actions, and ſuſpected her of carrying on a dangerous correſpondence with the Engliſh Catholics, both within and without the kingdom. Nor were her ſuſpicions altogether void of foundation. Mary had, about this time, written a letter to Sir Francis Inglefield, urging him to haſten the execution of what ſhe calls the *Great plot or Deſignment*, without heſitating on account of any danger in which it might involve her life, which ſhe would moſt willingly part with, if, by that ſacrifice, ſhe could procure relief for ſo great a number of the oppreſſed children of the Church[k]. Inſtead, therefore, of hearkening to the overtures which the Scottiſh Queen made, or granting any mitigation of the hardſhips of which ſhe complained, Elizabeth reſolved to take her out of the hands of the Earl of Shrewſbury, and to appoint Sir Amias Paulet and Sir Drue Drury to be her keepers. Shrewſbury had diſcharged his truſt with great fidelity, during fifteen years, but, at the ſame time, had treated Mary with gentleneſs and reſpect, and had always ſweetened harſh commands by the humanity with which he put them in execution. The ſame politeneſs was not to be expected from men of an inferior rank, whoſe ſevere vigilance, perhaps, was their chief recommendation to that employment, and the only merit by which they could pretend to gain favour or preferment[l].

She is treated with greater rigour.

As James was no leſs eager, than ever, to deprive the baniſhed Nobles of Elizabeth's protec-

Gray a new favourite of the King's.

[k] Strype, iii. 246. [l] Camd. 500.

tion,

tion, he appointed the Maſter of Gray his Ambaſſador to the court of England, and intruſted him with the conduct of a negotiation for that purpoſe. For this honour he was indebted to the envy and jealouſy of the Earl of Arran. Gray poſſeſſed all the talents of a Courtier; a graceful perſon, an inſinuating addreſs, boundleſs ambition, and a reſtleſs and intriguing ſpirit. During his reſidence in France, he had been admitted into the moſt intimate familiarity with the Duke of Guiſe, and, in order to gain his favour, had renounced the Proteſtant Religion, and profeſſed the utmoſt zeal for the captive Queen, who carried on a ſecret correſpondence with him, from which ſhe expected great advantages. On his return into Scotland, he paid court to James with extraordinary aſſiduity, and his accompliſhments did not fail to make their uſual impreſſion on the King's heart. Arran, who had introduced him, began quickly to dread his growing favour; and flattering himſelf, that abſence would efface any ſentiments of tenderneſs from the mind of a young Prince, pointed him out, by his malicious praiſes, as the moſt proper perſon in the kingdom, for an embaſſy of ſuch importance; and contributed to raiſe him to that high dignity, in order to haſten his fall. Elizabeth, who had an admirable dexterity in diſcovering the proper inſtruments for carrying on her deſigns, endeavoured, by careſſes, and by preſents, to ſecure Gray to her intereſt. The former flattered his vanity, which was great; the latter ſupplied his profuſeneſs, which was ſtill greater. He abandoned himſelf without reſerve

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to Elizabeth's direction, and not only undertook to retain the King under the influence of England, but acted as a spy upon the Scottish Queen, and betrayed to her rival every secret that he could draw from her by his high pretensions of zeal in her service[m].

His interest with the court of England.

GRAY's credit with the English court was extremely galling to the banished nobles. Elizabeth no longer thought of employing her power to restore them; she found it easier to govern Scotland by corrupting the King's favourites; and, Decem. 31. in compliance with Gray's solicitations, she commanded the exiles to leave the north of England, and to remove into the heart of the kingdom. This rendered it difficult for them to hold any correspondence with their partisans in Scotland, and almost impossible to return thither without her permission. Gray, by gaining a point which James had so much at heart, rivetted himself more firmly than ever in his favour; and by acquiring greater reputation, became capable of serving Elizabeth with greater success[n].

1585. Arran's corruption and insolence.

ARRAN had now possessed, for some time, all the power, the riches, and the honours, that his immoderate ambition could desire, or the fondness of a Prince, who set no limits to his liberality towards his favourites, could bestow. The office of Lord Chancellor, the highest and most important in the kingdom, was conferred upon him, even during the life of the Earl of Argyll, who succeeded Athol in that dignity[o]; and the public

[m] Strype, iii. 302. Melv. 316. [n] Cald. iii. 643.
[o] Crawf. Offic. of State, App. 447.

beheld,

beheld, with aſtoniſhment and indignation, a man educated as a ſoldier of fortune, ignorant of law, and a contemner of juſtice, appointed to preſide in parliament, in the privy council, in the court of ſeſſion, and intruſted with the ſupreme diſpoſal of the property of his fellow-ſubjects. He was, at the ſame time, governor of the caſtles of Stirling and Edinburgh, the two principal forts in Scotland; Provoſt of the city of Edinburgh; and as if by all theſe accumulated dignities his merits were not ſufficiently recompenſed, he had been created Lieutenant General over the whole kingdom. No perſon was admitted into the King's preſence without his permiſſion; no favour could be obtained but by his mediation. James, occupied with youthful amuſements, devolved upon him the whole regal authority. Such unmerited elevation increaſed his natural arrogance, and rendered it intolerable. He was no longer content with the condition of a ſubject, but pretended to derive his pedigree from Murdo Duke of Albany; and boaſted, openly, that his title to the Crown was preferable to that of the King himſelf. But, together with theſe thoughts of royalty, he retained the meanneſs ſuitable to his primitive indigence. His venality as a judge was ſcandalous, and was exceeded only by that of his wife, who, in defiance of decency, made herſelf a party in almoſt every queſtion which came to be decided, employed her influence to corrupt or to overawe the judges, and almoſt openly dictated their deciſions[p]. His rapaciouſ-

[p] Cald. iii. 331. Scotſtarvet's Staggering State, 7.

neſs

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ness as a Minister was insatiable. Not satisfied with the revenues of so many offices; with the estate and honours which belonged to the family of Hamilton; or with the greater part of Gowrie's lands, which had fallen to his share; he grasped at the possessions of several of the nobles. He required Lord Maxwell to exchange part of his estate, for the forfeited lands of Kinneil; and because he was unwilling to quit an ancient inheritance for a possession so precarious, he stirred up against him his hereditary rival, the Laird of Johnston, and involved that corner of the kingdom in a civil war. He committed to prison the Earl of Athol, Lord Home, and the Master of Cassils; the first, because he would not divorce his wife, the daughter of the Earl of Gowrie, and entail his estate on him; the second, because he was unwilling to part with some lands adjacent to one of his estates; and the third, for refusing to lend him money. His spies and informers filled the whole country, and intruded themselves into every company. The nearest neighbours distrusted and feared each other. All familiar society was at an end. Even the common intercourses of humanity were interrupted, no man knowing in whom to confide, or where to utter his complaints. There is not perhaps in history an example of a Minister so universally detestable to a nation, or who more justly deserved its detestation[q].

Arran, notwithstanding, regardless of the sentiments, and despising the murmurs of the people,

[q] Spotsw. 337, 338.

gave

gave a looſe to his natural temper, and proceeded to acts ſtill more violent. David Home of Argaty, and Patrick his brother, having received letters from one of the baniſhed Lords, about private buſineſs, were condemned and put to death, for holding correſpondence with rebels. Cunninghame of Drumwhaſel, and Douglas of Mains, two gentlemen of honour and reputation, were accuſed of having conſpired, with the exiled nobles, to ſeize the King's perſon. A ſingle witneſs only appeared; the evidence they produced of their innocence was unanſwerable; their accuſer himſelf not long after acknowledged that he had been ſuborned by Arran; and all men believed the charge againſt them to be groundleſs: They were found guilty, notwithſtanding, and ſuffered the death of traitors[r]. BOOK VII. 1585. Feb. 9.

About the ſame time that theſe gentlemen were puniſhed for a pretended conſpiracy, Elizabeth's life was endangered by a real one. Parry, a Doctor of laws, and a Member of the Houſe of Commons, a man vain and fantaſtic, but of a reſolute ſpirit, had lately been reconciled to the Church of Rome; and fraught with the zeal of a new convert, he offered to demonſtrate the ſincerity of his attachment to the religion which he had embraced, by killing Elizabeth. Cardinal Allen had publiſhed a book, to prove the murder of an excommunicated Prince to be not only lawful, but a meritorious action. The Pope's Nuncio at Venice, the Jeſuits both there and at Paris, the Parry's conſpiracy againſt Elizabeth.

[r] Spotſw. 338. Cald. iii. 794.

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English exiles, all approved of the design. The Pope himself exhorted him to persevere; and granted him, for his encouragement, a plenary indulgence, and remission of his sins. Cardinal di Como wrote to him a letter to the same purpose. But though he often got access to the Queen, fear, or some remaining sense of duty, restrained him from perpetrating the crime. Happily, his intention was at last discovered by Nevil, the only person in England to whom he had communicated it; and he himself having voluntarily confessed his guilt, he suffered the punishment which it deserved[s].

March 2.

A severe statute, which proved fatal to Mary.

These repeated conspiracies against their Sovereign awakened the indignation of the English parliament, and produced a very extraordinary statute, which, in the end, proved fatal to the Queen of Scots. By this law the association in defence of Elizabeth's life was ratified, and it was further enacted, "That if any rebellion shall be excited in "the kingdom, or any thing attempted to the "hurt of her Majesty's person, *by or for* any per-"son pretending a title to the Crown, the Queen "shall empower twenty-four persons, by a com-"mission under the Great Seal, to examine into, "and pass sentence upon such offences; and after "judgment given, a proclamation shall be issued, "declaring the persons whom they find guilty, "excluded from any right to the Crown; and "her Majesty's subjects may lawfully pursue every "one of them to the death, with all their aiders

[s] State Trials, vol. i. 103.

" and abettors: And if any deſign againſt the life " of the Queen take effect, the perſons, *by or for* " whom ſuch a deteſtable act is executed, and " *their iſſues*, being in any wiſe aſſenting or privy " to the ſame, ſhall be diſabled for ever from " pretending to the Crown, and be purſued to " death in the like manner[t]." This act was plainly levelled at the Queen of Scots; and whether we conſider it as a voluntary expreſſion of the zeal and concern of the nation for Elizabeth's ſafety, or whether we impute it to the influence which that artful Princeſs preſerved over her parliaments, it is no eaſy matter to reconcile it with the general principles of juſtice or humanity. Mary was thereby rendered accountable not only for her own actions, but for thoſe of others; in conſequence of which, ſhe might forfeit her right of ſucceſſion, and even her life itſelf.

The rigour with which ſhe was treated, increaſed.

MARY juſtly conſidered this act as a warning to prepare for the worſt extremities. Elizabeth's miniſters, it is probable, had reſolved, by this time, to take away her life; and ſuffered books to be publiſhed, in order to perſuade the nation, that this cruel and unprecedented meaſure was not only neceſſary, but juſt[u]. Even that ſhort period of her days which remained, they rendered uncomfortable, by every hardſhip and indignity which it was in their power to inflict. Almoſt all her ſervants were diſmiſſed, ſhe was treated no longer with the reſpect due to a Queen; and though the rigour of ſeventeen years impriſonment had broken her conſtitution, ſhe was con-

[t] State Trials, vol. i. 123.

[u] Strype, iii. 299.

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fined to two ruinous chambers, ſcarcely habitable, even in the middle of ſummer, by reaſon of cold. Notwithſtanding the ſcantineſs of her revenue, ſhe had been accuſtomed to diſtribute regularly ſome alms among the poor in the village adjoining to the caſtle. Paulet now refuſed her liberty to perform this pious and humane office, which had afforded her great conſolation, amidſt her own ſufferings. The caſtle in which ſhe reſided was converted into a common priſon; and a young man, ſuſpected of Popery, was confined there, and treated under her eye with ſuch rigour, that he died of the ill uſage. She often complained to Elizabeth of theſe multiplied injuries, and expoſtulated as became a woman and a Queen; but as no political reaſon now obliged that Princeſs to amuſe her any longer with fallacious hopes, far from granting her any redreſs, ſhe did not even deign to give her any anſwer. The King of France, cloſely allied to Elizabeth, on whom he depended for aſſiſtance againſt his rebellious ſubjects, was afraid of eſpouſing Mary's cauſe with any warmth; and all his ſolicitations in her behalf were feeble, formal, and inefficacious. But Caſtlenau, the French Ambaſſador, whoſe compaſſion and zeal for the unhappy Queen ſupplied the defects in his inſtructions, remonſtrated with ſuch vigour againſt the indignities to which ſhe was expoſed, that, by his importunity, he prevailed at length to have her removed to Tuthbury; though ſhe was confined, the greater part of another winter, in her preſent wretched habitation[x].

[x] Jebb, v. ii. 576–598.

NEITHER

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NEITHER the insults of her enemies, nor the neglect of her friends, made such an impression on Mary, as the ingratitude of her son. James had hitherto treated his mother with filial respect, and had even entered into negotiations with her, which gave umbrage to Elizabeth. But as it was not her interest that his good correspondence should continue, Gray, who, on his return into Scotland, found his favour with the King greatly increased by the success of his embassy, persuaded him to write a harsh and undutiful letter to his mother, in which he expressly refused to acknowledge her to be Queen of Scotland, or to consider his affairs as connected, in any wise, with hers. This cruel requital of her maternal tenderness overwhelmed Mary with sorrow and despair. "Was it for this, said she, in a letter to the "French Ambassador, that I have endured so "much, in order to preserve for him the inherit- "ance, to which I have a just right? I am far "from envying his authority in Scotland. I "desire no power there; nor wish to set my foot "in that kingdom, if it were not for the pleasure "of once embracing a son, whom I have hitherto "loved with too tender affection. Whatever "he either enjoys or expects, he derived it from "me. From him I never received assistance, "supply, or benefit of any kind. Let not my "allies treat him any longer as a King; he holds "that dignity by my consent; and if a speedy "repentance do not appease my just resent- "ment, I will load him with a parent's curse, "and surrender my Crown, with all my pre-

A breach between Mary and her son.

March 24.

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"tensions, to one who will receive them with "gratitude, and defend them with vigour[y]." The love which James bore to his mother, whom he had never known, and whom he had been early taught to consider as one of the most abandoned persons of her sex, cannot be supposed ever to have been ardent; and he did not now take any pains to regain her favour. But whether her indignation at his undutiful behaviour, added to her bigoted attachment to Popery, prompted Mary at any time to think seriously of disinheriting her son; or whether these threatenings were uttered in a sudden sally of disappointed affection, it is now no easy matter to determine. Some papers which are still extant seem to render the former not improbable[z].

Dangerous situation of Elizabeth;

CARES of another kind, and no less disquieting, occupied Elizabeth's thoughts. The calm which she had long enjoyed, seemed now to be at an end; and such storms were gathering in every quarter, as filled her with just alarm. All the neighbouring nations had undergone revolutions extremely to her disadvantage. The great qualities which Henry III. had displayed in his youth, and which raised the expectations of his subjects so high, vanished on his ascending the throne; and his acquiring supreme power seems not only to have corrupted his heart, but to have impaired his understanding. He soon lost the esteem and affection of the nation; and a life divided between the austerities of a superstitious devotion, and the ex-

[y] Murdin, 566. Jebb, ii. 571. See Append. No. XII.
[z] See Append. No. XIII.

travagancies

travagancies of the moſt diſſolute debauchery, rendered him as contemptible as he was odious on account of his rapaciouſneſs, his profuſion, and the fondneſs with which he doated on many unworthy minions. On the death of his only brother, thoſe ſentiments of the people burſt out with violence. Henry had no children, and though but thirty-two years of age, the ſucceſſion of the Crown was already conſidered as open. The King of Navarre, a diſtant deſcendant of the royal family, but the undoubted heir to the Crown, was a zealous Proteſtant. The proſpect of an event ſo fatal to their religion, as his aſcending the throne of France, alarmed all the Catholics in Europe, and the Duke of Guiſe, countenanced by the Pope, and aided by the King of Spain, appeared as the defender of the Romiſh faith, and the aſſerter of the Cardinal of Bourbon's right to the Crown. In order to unite the party, a bond of confederacy was formed, diſtinguiſhed by the name of the *Holy League*. All ranks of men joined in it with emulation. The ſpirit ſpread with the irreſiſtible rapidity which was natural to religious paſſions in that age. The deſtruction of the Reformation, not only in France, but all over Europe, ſeemed to be the object and wiſh of the whole party; and the Duke of Guiſe, the head of this mighty and zealous body, acquired authority in the kingdom, far ſuperior to that which the King himſelf poſſeſſed. Philip II. by the conqueſt of Portugal, had greatly increaſed the naval power of Spain, and had at laſt reduced under his dominion all that portion of the Continent, which lies beyond the Pyrenean moun-

from the progreſs of the League;

from the power of Philip II.

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tains, and which Nature seems to have destined to form one great monarchy. William, Prince of Orange, who first encouraged the inhabitants of the Netherlands to assert their liberties, and whose wisdom and valour formed and protected the rising commonwealth, had fallen by the hands of an assassin. The superior genius of the Prince of Parma had given an entire turn to the fate of the war in the Low Countries; all his enterprises, concerted with consummate skill, and executed with equal bravery, had been attended with success; and the Dutch, reduced to the last extremity, were on the point of falling under the dominion of their ancient master.

Her wise and vigorous conduct.

None of those circumstances, to which Elizabeth had hitherto owed her security, existed any longer. She could derive no advantage from the jealousy which had subsisted between France and Spain; Philip, by means of his confederacy with the Duke of Guise, had an equal sway in the councils of both kingdoms. The Hugonots were unable to contend with the power of the League; and little could be expected from any diversion they might create. Nor was it probable that the Netherlands could long employ the arms, or divide the strength, of Spain. In this situation of the affairs of Europe, it became necessary for Elizabeth to form a new plan of conduct; and her wisdom in forming it was not greater than the vigour with which she carried it on. The measures, most suitable to her natural temper, and which she had hitherto pursued, were cautious and safe; those which she now adopted, were en-

terprising and hazardous. She preferred peace, but was not afraid of war; and was capable, when compelled by necessity, not only of defending herself with spirit, but of attacking her enemies with a boldness which averted danger from her own dominions. She immediately furnished the Hugonots with a considerable supply in money. She carried on a private negotiation with Henry III. who, though compelled to join the League, hated the leaders of it, and wished for their destruction. She openly undertook the protection of the Dutch commonwealth, and sent a powerful army to its assistance. She endeavoured to form a general confederacy of the Protestant Princes, in opposition to the Popish League. She determined to proceed with the utmost rigour against the Queen of Scots, whose sufferings and rights afforded her enemies a specious pretence for invading her dominions. She resolved to redouble her endeavours, in order to effect a closer union with Scotland, and to extend and perpetuate her influence over the councils of that nation.

Resolves to punish Mary, and to gain the King.

She found it no difficult matter to induce most of the Scottish courtiers to promote all her designs. Gray, Sir John Maitland, who had been advanced to the office of Secretary, which his brother formerly held, Sir Lewis Bellenden, the Justice Clerk, who had succeeded Gray as the King's resident at London, were the persons in whom she chiefly confided. In order to direct and quicken their motions, she dispatched Sir Edward Wotton along with Bellenden into Scotland. This man was gay, well-bred, and entertaining; he excelled in all

May 29.

the

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the exercises for which James had a passion; and amused the young King by relating the adventures which he had met with, and the observations he had made, during a long residence in foreign countries; but under the veil of these superficial qualities, he concealed a dangerous and intriguing spirit. He soon grew into high favour with James, and while he was seemingly attentive only to pleasure and diversions, he acquired influence over the public councils, to a degree which was indecent for a stranger to possess[a].

Proposes a league with Scotland.

NOTHING, however, could be more acceptable to the nation, than the proposal he made of a strict alliance between the two kingdoms, in defence of the Reformed Religion. The rapid and alarming progress of the Popish League seemed to call on all Protestant Princes to unite for the preservation of their common faith. James embraced the overture with warmth, and a Convention of estates empowered him to conclude such a treaty, and engaged to ratify it in parliament[b]. The alacrity with which James concurred in this measure must not be wholly ascribed either to his own zeal, or to Wotton's address; it was owing in part to Elizabeth's liberality. As a mark of her motherly affection for the young King, she settled on him an annual pension of five thousand pounds; the same sum which her father had allotted her before she ascended the throne. This circumstance, which she took care to mention, rendered a sum, which in that age was far from

July 29.

[a] Melv. 317. [b] Spotsw. 339.

being

being inconsiderable, a very acceptable present to the King, whose revenues, during a long minority, had been almost totally dissipated[c].

Undermines Arran's power.

But the chief object of Wotton's intrigues, was to ruin Arran. While a minion so odious to the nation continued to govern the King, his assistance could be of little advantage to Elizabeth. And though Arran, ever since his interview with Hunsdon, had appeared extremely for her interest, she could place no great confidence in a man whose conduct was so capricious and irregular, and who, notwithstanding his protestations to the contrary, still continued a secret correspondence both with Mary and with the Duke of Guise. The banished Lords were attached to England from affection, as well as principle, and were the only persons among the Scots whom, in any dangerous exigency, she could thoroughly trust. Before Bellenden left London, they had been summoned thither, under colour of vindicating themselves from his accusations, but, in reality, to concert with him the most proper measures for restoring them to their country. Wotton pursued this plan, and endeavoured to ripen it for execution; and it was greatly facilitated by an event neither uncommon nor considerable. Sir John Forster, and Ker of Fernihirst, the English and Scottish wardens of the middle marches, having met, according to the custom of the borders, about midsummer, a fray arose, and Lord Russel, the Earl of Bedford's eldest son, happened to be

[c] Cald. iii. 505.

killed.

BOOK VII. 1585. killed. This ſcuffle was purely accidental, but Elizabeth choſe to conſider it as a deſign formed by Ker, at the inſtigation of Arran, to involve the two kingdoms in war. She inſiſted that both ſhould be delivered up to her; and though James eluded that demand, he was obliged to confine Arran in St. Andrew's, and Ker in Aberdeen.

Aſſiſts the baniſhed nobles. During his abſence from court, Wotton and his aſſociates carried on their intrigues without interruption. By their advice, the baniſhed nobles endeavoured to accommodate their differences with Lord John and Lord Claud, the Duke of Chatelherault's two ſons, whom Morton's vio-

Oct. 16. lence had driven out of the kingdom. Their common ſufferings, and common intereſt, induced both parties to bury in oblivion the ancient diſcord which had ſubſiſted between the houſes of Hamilton and Douglas. By Elizabeth's permiſſion, they returned in a body to the borders of Scotland. Arran, who had again recovered favour, inſiſted on putting the kingdom in a poſture of defence. But Gray, Bellenden, and Maitland ſecretly thwarted all his meaſures. Some neceſſary orders they prevented from being iſſued; others they rendered ineffectual, by the manner of execution; and all of them were obeyed ſlowly, and with reluctance[d].

Wotton's fertile brain was, at the ſame time, big with another and more dangerous plot. He had contrived to ſeize the King, and to carry him by force into England. But the deſign was hap-

[d] Spotſw. 340.

pily

pily discovered; and, in order to avoid the punishment his treachery merited, he departed without taking leave[e].

They return into Scotland, and are reconciled to the King.

Meanwhile the banished Lords hastened the execution of their enterprise; and as their friends and vassals were now ready to join them, they entered Scotland. Wherever they came, they were welcomed as the deliverers of their country, and the most fervent prayers were addressed to Heaven for the success of their arms. They advanced, without losing a moment, towards Stirling, at the head of ten thousand men. The King, though he had assembled an army superior in number, could not venture to meet them in the field, with troops whose loyalty was extremely dubious, and who, at best, were far from being hearty in the cause; nor was either the town or castle provided for a siege. The gates, however, of both were shut, and the nobles encamped at St. Ninian's. That same night they surprised the town, or more probably it was betrayed into their hands; and Arran, who had undertaken to defend it, was obliged to save himself by a precipitate flight. Next morning they invested the castle, in which there were not provisions for twenty-four hours; and James was necessitated immediately to hearken to terms of accommodation. They were not so elated with success, as to urge extravagant demands, nor was the King unwilling to make every reasonable concession. They obtained a pardon in the most ample form, of all the offences which they had

Nov. 2.

[e] Melv. 335.

committed;

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committed; the principal forts in the kingdom were, by way of ſecurity, put into their hands; Crawford, Montroſe, and Colonel Stewart were removed from the King's preſence; and a parliament was called, in order to eſtabliſh tranquillity in the nation[f].

A Parliament. Dec. 10.

THOUGH a great majority in this parliament conſiſted of the confederate nobles and their adherents, they were far from diſcovering a vindictive ſpirit. Satisfied with procuring an act, reſtoring them to their ancient honours and eſtates, and ratifying the pardon granted by the King, they ſeemed willing to forget all paſt errors in the adminiſtration, and ſpared James the mortification of ſeeing his Miniſters branded with any public note of infamy. Arran alone, deprived of all his honours, ſtripped of his borrowed ſpoils, and declared an enemy to his country by public proclamation, ſunk back into obſcurity, and muſt, henceforth, be mentioned by his primitive title of Captain James Stewart. As he had been, during his unmerited proſperity, the object of the hatred and indignation of his countrymen, they beheld his fall without pity, nor did all his ſufferings mitigate their reſentment in the leaſt degree.

Church affairs.

THE Clergy were the only body of men who obtained no redreſs of their grievances by this revolution. The confederate nobles had, all along, affected to be conſidered as guardians of the privileges and diſcipline of the Church. In all their manifeſtos they had declared their reſolution to

[f] Cald. iii. 795.

reſtore

restore these, and by that popular pretence had gained many friends. It was now natural to expect some fruit of these promises, and some returns of gratitude towards many of the most eminent preachers who had suffered in their cause, and who demanded the repeal of the laws passed the preceding year. The King, however, was resolute to maintain these laws in full authority; and as the nobles were extremely solicitous not to disgust him, by insisting on any disagreeable request, the claims of the Church in this, as well as in many former instances, were sacrificed to the interest of the laity. The Ministers gave vent to their indignation in the pulpit, and their impatience under the disappointment broke out in some expressions extremely disrespectful even towards the King himself[z]. 1585.

The Archbishop of St. Andrew's, too, felt the effects of their anger. The Provincial Synod of Fife summoned him to appear, and to answer for his contempt of the decrees of former Assemblies, in presuming to exercise the function of a Bishop. Though he refused to acknowledge the jurisdiction of the court, and appealed from it to the King, a sentence of excommunication, equally indecent and irregular, was pronounced against him. Adamson, with no less indecency, thundered his archiepiscopal excommunication against Melvil, and some other of his opponents. 1586.

Soon after, a General Assembly was held, in which the King, with some difficulty, obtained an April 13.

[z] Spotsw. 343.

act,

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act, permitting the name and office of Biſhop ſtill to continue in the Church. The power of the order, however, was conſiderably retrenched. The exerciſe of diſcipline, and the inſpection of the life and doctrine of the Clergy, were committed to Preſbyteries, in which Biſhops ſhould be allowed no other pre-eminence, but that of preſiding as perpetual moderators. They themſelves were declared to be ſubject, in the ſame manner as other paſtors, to the juriſdiction of the General Aſſembly. As the diſcuſſion of the Archbiſhop's appeal might have kindled unuſual heats in the Aſſembly, that affair was terminated by a compromiſe. He renounced any claim of ſupremacy over the Church, and promiſed to demean himſelf ſuitably to the character of a Biſhop, as deſcribed by St. Paul. The Aſſembly, without examining the foundations of the ſentence of excommunication, declared that it ſhould be held of no effect, and reſtored him to all the privileges which he enjoyed before it was pronounced. Notwithſtanding the extraordinary tenderneſs ſhewn for the honour of the ſynod, and the delicacy and reſpect with which its juriſdiction was treated, ſeveral members were ſo zealous as to proteſt againſt this deciſion[h].

A league with England concluded.

THE court of Scotland was now filled with perſons ſo warmly attached to Elizabeth, that the league between the two kingdoms, which had been propoſed laſt year, met with no interruption, but from D'Eſneval the French envoy. James him-

[h] Cald. iii. 894. Spotſw. 346.

ſelf

self first offered to renew the negotiation. Elizabeth did not suffer such a favourable opportunity to slip, and instantly dispatched Randolph to conclude a treaty, which she so much desired. The July 5. danger to which the Protestant religion was exposed, by the late combination of the Popish powers for its destruction, and the necessity of a strict confederacy among those who had embraced the Reformation, in order to obstruct their pernicious designs, were mentioned as the foundation of the league. The chief articles in it were, that both parties should bind themselves to defend the Evangelic Religion; that the league should be offensive and defensive against all who shall endeavour to disturb the exercise of religion in either kingdom; that if one of the two parties be invaded, the other, notwithstanding any former alliance, should not, directly or indirectly, assist the invader; that if England be invaded in any part remote from Scotland, James should assist the Queen with two thousand horse and five thousand foot; that if the enemy landed or approached within sixty miles of Scotland, the King should take the field with his whole forces, in the same manner as he would do in defence of his own kingdom. Elizabeth, in return, undertook to act in defence of Scotland, if it should be invaded. At the same time she assured the King that no step should be taken, which might derogate in any degree from his pretensions to the English Crown[i]. Elizabeth expressed great satisfaction with a treaty, which rendered Scotland

[i] Spotsw. 351.

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an useful ally, instead of a dangerous neighbour, and afforded her a degree of security on that side, which all her ancestors had aimed at, but none of them had been able to obtain. Zeal for religion, together with the blessings of peace, which both kingdoms had enjoyed during a considerable period, had so far abated the violence of national antipathy, that the King's conduct was universally acceptable to his own people[k].

The acquittal of Archibald Douglas, at this time, exposed James to much and deserved censure. This man was deeply engaged in the conspiracy against the life of the King his father. Both Morton and Binny one of his own servants, who suffered for that crime, had accused him of being present at the murder[l]. He had escaped punishment by flying into England, and James had often required Elizabeth to deliver up a person so unworthy of her protection. He now obtained a licence, from the King himself, to return into Scotland; and after undergoing a mock-trial, calculated to conceal, rather than to detect his guilt, he was not only taken into favour by the King, but sent back to the court of England, with the honourable character of his ambassador. James was now of such an age, that his youth and inexperience cannot be pleaded in excuse for this indecent transaction. It must be imputed to the excessive facility of his temper, which often led him to gratify his courtiers at the expence of his own dignity and reputation[m].

[k] Camd. 513. [l] See Append. No. XIV. Arnot Crim. Trials, 7, &c. [m] Spotsw. 348. Cald. iii. 917.

Not

1586. Rise of Babington's conspiracy against Elizabeth.

Not long after, the inconsiderate affection of the English Catholics towards Mary, and their implacable resentment against Elizabeth, gave rise to a conspiracy which proved fatal to the one Queen, left an indelible stain on the reputation of the other, and presented a spectacle to Europe, of which there had been hitherto no example in the history of mankind.

Doctor Gifford, Gilbert Gifford, and Hodgson, priests educated in the seminary at Rheims, had adopted an extravagant and enthusiastic notion, that the Bull of Pius V. against Elizabeth, was dictated immediately by the Holy Ghost. This wild opinion they instilled into Savage, an officer in the Spanish army, noted for his furious zeal and daring courage; and persuaded him that no service could be so acceptable to Heaven, as to take away the life of an excommunicated Heretic. Savage, eager to obtain the crown of martyrdom, bound himself by a solemn vow to kill Elizabeth. Ballard, a pragmatical priest of that seminary, had at that time come over to Paris, and solicited Mendoza, the Spanish ambassador there, to procure an invasion of England, while the affairs of the league were so prosperous, and the kingdom left naked by sending so many of the Queen's best troops into the Netherlands. Paget and the English exiles demonstrated the fruitlessness of such an attempt, unless Elizabeth were first cut off, or the invaders secured of a powerful concurrence on their landing. If it could be hoped that either of these events would happen, effectual aid was promised;

April 26.

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and in the mean time Ballard was ſent back to renew his intrigues.

1586. May 15.

He communicated his deſigns to Anthony Babington, a young gentleman in Derbyſhire, of a large fortune, and many amiable qualities, who having contracted, during his reſidence in France, a familiarity with the Archbiſhop of Glaſgow, had been recommended by him to the Queen of Scots. He concurred with Paget, in conſidering the death of Elizabeth as a neceſſary preliminary to any invaſion. Ballard gave him hopes that an end would ſoon be put to her days, and imparted to him Savage's vow, who was now in London waiting for an opportunity to ſtrike the blow. But Babington thought the attempt of too much importance, to rely on a ſingle hand for the execution of it, and propoſed that five reſolute gentlemen ſhould be joined with Savage, in an enterpriſe, the ſucceſs of which was the foundation of all their hopes. He offered to find out perſons willing to undertake the ſervice, whoſe honour, ſecrecy, and courage they might ſafely truſt. He accordingly opened the matter to Edward Windſor, Thomas Saliſbury, Charles Tilney, Chidioc Tichbourne, Robert Gage, John Travers, Robert Barnwell, John Charnock, Henry Dun, John Jones, and Robert Polly, all of them, except Polly, whoſe buſtling forward zeal introduced him into their ſociety, gentlemen of good families, united together in the bonds of private friendſhip, ſtrengthened by the more powerful tie of religious zeal. Many conſultations were held; their plan of operations was at laſt ſettled;

June.

and

and their different parts assigned. Babington himself was appointed to rescue the Queen of Scots; Salisbury, with some others, undertook to excite several counties to take arms; the murder of the Queen, the most dangerous and important service of all, fell to Tichbourne and Savage, with four associates. So totally had their bigoted prejudices extinguished the principles of honour, and the sentiments of humanity suitable to their rank, that, without scruple or compunction, they undertook an action which is viewed with horror, even when committed by the meanest and most profligate of mankind. This attempt, on the contrary, appeared to them no less honourable than it was desperate; and in order to perpetuate the memory of it, they had a picture drawn containing the portraits of the six assassins, with that of Babington in the middle, and a motto intimating that they were jointly embarked in some hazardous design.

1586. The scheme of the conspirators.

The conspirators, as appears by this wanton and imprudent instance of vanity, seem to have thought a discovery scarcely possible, and neither distrusted the fidelity of their companions, nor doubted the success of their undertaking. But while they believed that their machinations were carried on with the most profound and impenetrable secrecy, every step they took was fully known to Walsingham. Polly was one of his spies, and had entered into the conspiracy with no other design than to betray his associates. Gilbert Gifford too, having been sent over to England to quicken the motions of the conspirators,

Discovered by Walsingham.

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1586. had been gained by Walſingham, and gave him ſure intelligence of all their projects. That vigilant Miniſter immediately imparted the diſcoveries which he had made to Elizabeth; and without communicating the matter to any other of the Counſellors, they agreed, in order to underſtand the plot more perfectly, to wait until it was ripened into ſome form, and brought near the point of execution.

They are ſeized and puniſhed. Auguſt 4.

At laſt, Elizabeth thought it dangerous and criminal to expoſe her own life, and to tempt Providence any farther. Ballard, the prime mover in the whole conſpiracy, was arreſted. His aſſociates, diſconcerted and ſtruck with aſtoniſhment, endeavoured to ſave themſelves by flight. But, within a few days, all of them, except Windſor, were ſeized in different places of the kingdom, and committed to the Tower. Though they had undertaken the part, they wanted the firm and determined ſpirit of aſſaſſins; and, influenced by fear or by hope, at once confeſſed all that they knew. The indignation of the people, and their impatience to revenge ſuch an execrable combination againſt the life of their Sovereign, haſtened their trial, and all of them ſuffered the death of traitors[n].

Sept. 20.

Mary is accuſed of being an accomplice in the conſpiracy.

Thus far Elizabeth's conduct may be pronounced both prudent and laudable, nor can ſhe be accuſed of violating any law of humanity, or of taking any precautions beyond what were neceſſary for her own ſafety. But a tragical ſcene

[n] Camd. 515. State Trials, vol. i. 110.

followed,

followed, with regard to which poſterity will paſs a very different judgment. BOOK VII. 1586.

THE frantic zeal of a few raſh young men accounts ſufficiently for all the wild and wicked deſigns which they had formed. But this was not the light in which Elizabeth and her Miniſters choſe to place the conſpiracy. They wiſhed to perſuade the nation, that Babington and his aſſociates ſhould be conſidered merely as inſtruments employed by the Queen of Scots, the real though ſecret author of ſo many attempts againſt the life of Elizabeth, and the peace of her kingdoms. They produced letters, which they aſcribed to her, in ſupport of this charge. Theſe, as they gave out, had come into their hands by the following ſingular and myſterious method of conveyance. Gifford, on his return into England, had been truſted by ſome of the exiles with letters to Mary; but in order to make a trial of his fidelity and addreſs, they were only blank papers made up in that form. Theſe being ſafely delivered by him, he was afterwards employed without farther ſcruple. Walſingham having found means to gain this man, he, by the permiſſion of that Miniſter and the connivance of Paulet, bribed a tradeſman in the neighbourhood of Chartley, whither Mary had been conveyed, who depoſited the letters in a hole in the wall of the caſtle, covered with a looſe ſtone. Thence they were taken by the Queen, and in the ſame manner her anſwers returned. All theſe were carried to Walſingham, opened by him, decyphered, ſealed again ſo dexterouſly that the fraud

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could not be perceived, and then tranſmitted to the perſons to whom they were directed. Two letters to Babington, with ſeveral to Mendoza, Paget, Englefield, and the Engliſh fugitives, were procured by this artifice. It was given out, that in theſe letters Mary approved of the conſpiracy, and even of the aſſaſſination; that ſhe directed them to proceed with the utmoſt circumſpection, and not to take arms until foreign auxiliaries were ready to join them; that ſhe recommended the Earl of Arundel, his brothers, and the young Earl of Northumberland, as proper perſons to conduct and to add reputation to their enterpriſe; that ſhe adviſed them, if poſſible, to excite at the ſame time ſome commotion in Ireland; and above all, beſought them to concert with care the means of her own eſcape, ſuggeſting to them ſeveral expedients for that purpoſe.

The indignation of the Engliſh againſt her on that account.

All theſe circumſtances were opened at the trial of the conſpirators; and while the nation was under the influence of thoſe terrors which the aſſociation had raiſed, and the late danger had augmented, they were believed without heſitation or inquiry, and ſpread a general alarm. Mary's zeal for her religion was well known; and in that age, examples of the violent and ſanguinary ſpirit which it inſpired were numerous. All the cabals againſt the peace of the kingdom for many years had been carried on in her name; and it now appears evidently, ſaid the Engliſh, that the ſafety of the one Queen is incompatible with that of the other. Why then, added they, ſhould the tranquillity of England be ſacrificed for the

ſake

ſake of a ſtranger? Why is a life ſo dear to the nation expoſed to the repeated aſſaults of an exaſperated rival? The caſe ſuppoſed in the aſſociation has now happened, the ſacred perſon of our Sovereign has been threatened, and why ſhould not an injured people execute that juſt vengeance which they had vowed?

Elizabeth reſolves to proceed to the utmoſt extremities againſt her.

No ſentiments could be more agreeable than theſe to Elizabeth and her Miniſters. They themſelves had at firſt propagated them among the people, and they now ſerved both as an apology and a motive for their proceeding to ſuch extremities againſt the Scottiſh Queen as they had long meditated. The more numerous the injuries were which Elizabeth had heaped on Mary, the more ſhe feared and hated that unhappy Queen, and came at laſt to be perſuaded that there could be no other ſecurity for her own life, but the death of her rival. Burleigh and Walſingham had promoted ſo zealouſly all her meaſures with regard to Scottiſh affairs; and had acted, with ſo little reſerve, in oppoſition to Mary, that they had reaſon to dread the moſt violent effects of her reſentment, if ever ſhe ſhould mount the throne of England. From this additional conſideration they endeavoured, with the utmoſt earneſtneſs, to hinder an event ſo fatal to themſelves, by confirming their Miſtreſs's fear and hatred of the Scottiſh Queen.

Her domeſtics, papers, &c. ſeized.

MEANWHILE, Mary was guarded with unuſual vigilance, and great care was taken to keep her ignorant of the diſcovery of the conſpiracy. Sir Thomas Gorges was at laſt ſent from court to acquaint

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quaint her both of it, and of the imputation with which she was loaded as accessary to that crime; and he surprised her with the account just as she had got on horseback to ride out along with her keepers. She was struck with astonishment, and would have returned to her apartment, but she was not permitted; and in her absence, her private closet was broke open, her cabinet and papers were seized, sealed, and sent up to court. Her principal domestics too were arrested, and committed to different keepers. Nau and Curle, her two secretaries, the one a native of France, the other of Scotland, were carried prisoners to London. All the money in her custody, amounting to little more than two thousand pounds, was secured[o]. And after leading her about, for some days, from one gentleman's house to another, she was conveyed to Fotheringay, a strong castle in Northamptonshire[p].

Deliberates concerning the method of proceeding.

No farther evidence could now be expected against Mary, and nothing remained but to decide what should be her fate. With regard to this, Elizabeth, and those Ministers in whom she chiefly confided, seem to have taken their resolution; but there was still great variety of sentiments among her other Counsellors. Some thought it sufficient to dismiss all Mary's attendants, and to keep her under such close restraint, as would cut off all possibility of corresponding with the enemies of the kingdom; and as her constitution, broken by long confinement, and her spirit dejected with so

[o] See Appendix, No. XV. [p] Camd. 517.

many

many cares, could not long support such an additional load, the Queen and nation would soon be delivered from all their fears. But though it might be easy to secure Mary's own person, it was impossible to diminish the reverence which the Roman Catholics had for her name, or to extinguish the compassion with which they viewed her sufferings; while such sentiments continued, insurrections and invasions would never be wanting for her relief, and the only effect of any new rigour would be to render these attempts more frequent and more dangerous. For this reason the expedient was rejected. 1586

Determines to try her publicly.

A PUBLIC and legal trial, though the most unexampled, was judged the most unexceptionable method of proceeding; and it had, at the same time, a semblance of justice, accompanied with an air of dignity. It was in vain to search the ancient records for any statute or precedent to justify such an uncommon step, as the trial of a foreign Prince, who had not entered the kingdom in arms, but had fled thither for refuge. The proceedings against her were founded on the act of last Parliament, and by applying it in this manner, the intention of those who had framed that severe statute became more apparent[q].

ELIZABETH resolved that no circumstance of pomp or solemnity should be wanting, which could render this transaction such as became the dignity of the person to be tried. She appointed, by a commission under the great seal, forty per-

[q] Camd. 519. Johnst. Hist. 113.

sons,

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sons, the most illustrious in the kingdom by their birth or offices, together with five of the judges, to hear and decide this great cause. Many difficulties were started by the lawyers about the name and title by which Mary should be arraigned; and while the essentials of justice were so grosly violated, the empty forms of it were the objects of their care. They at length agreed that she should be styled "Mary, daughter and heir of "James V. late King of Scots, commonly called "Queen of Scots, and Dowager of France[r]."

After the many indignities which she had lately suffered, Mary could no longer doubt but that her destruction was determined. She expected, every moment, to end her days by poison, or by some of those secret means usually employed against captive Princes. Lest the malice of her enemies, at the same time that it deprived her of life, should endeavour likewise to blast her reputation, she wrote to the Duke of Guise, and vindicated herself, in the strongest terms, from the imputation of encouraging or of being accessary to the conspiracy for assassinating Elizabeth[s]. In the solitude of her prison, the strange resolution of bringing her to a public trial had not reached her ears, nor did the idea of any thing so unprecedented, and so repugnant to regal Majesty, once enter into her thoughts.

The trial at Fotheringay.

On the eleventh of October, the Commissioners appointed by Elizabeth arrived at Fotheringay. Next morning they delivered a letter from their

[r] Strype, iii. 362. [s] Jebb, ii. 283.

Sovereign

Sovereign to Mary, in which, after the bitterest reproaches and accusations, she informed her, that regard for the happiness of the nation had, at last, rendered it necessary to make a public inquiry into her conduct, and therefore required her, as she had lived so long under the protection of the laws of England, to submit now to the trial, which they ordained to be taken of her crimes. Mary, though surprised at this message, was neither appalled at the danger, nor unmindful of her own dignity. She protested, in the most solemn manner, that she was innocent of the crime laid to her charge, and had never countenanced any attempt against the life of the Queen of England; but, at the same time, refused to acknowledge the jurisdiction of her commissioners. "I came into the kingdom," said she, "an independent Sovereign, to implore the Queen's "assistance, not to subject myself to her authority. "Nor is my spirit so broken by its past misfortunes, or so intimidated by present dangers, as "to stoop to any thing unbecoming the Majesty "of a crowned head, or that will disgrace the "ancestors from whom I am descended, and the "son to whom I shall leave my throne. If I "must be tried, Princes alone can be my Peers. "The Queen of England's subjects, however "noble their birth may be, are of a rank inferior "to mine. Ever since my arrival in this king-"dom, I have been confined as a prisoner. Its "laws never afforded me any protection. Let "them not now be perverted, in order to take "away my life."

Mary refuses at first to plead.

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THE Commiſſioners employed arguments and intreaties to overcome Mary's reſolution. They even threatened to proceed according to the forms of law, and to paſs ſentence againſt her on account of her contumacy in refuſing to plead; ſhe perſiſted, however, for two days to decline their juriſdiction. An argument uſed by Hatton, the Vice-Chamberlain, at laſt prevailed. He told her, that, by avoiding a trial, ſhe injured her own reputation, and deprived herſelf of the only opportunity of ſetting her innocence in a clear light; and that nothing would be more agreeable to them, or more acceptable to the Queen their Miſtreſs, than to be convinced, by undoubted evidence, that ſhe had been unjuſtly loaded with foul aſperſions.

Conſents however to do ſo.

No wonder pretexts ſo plauſible ſhould impoſe on the unwary Queen, or that ſhe, unaſſiſted, at that time, by any friend or counſellor, ſhould not be able to detect and elude all the artifices of Elizabeth's ableſt Miniſters. In a ſituation equally melancholy, and under circumſtances nearly ſimilar, her Grandſon, Charles I. refuſed, with the utmoſt firmneſs, to acknowledge the uſurped juriſdiction of the High Court of Juſtice; and poſterity has approved his conduct, as ſuitable to the dignity of a King. If Mary was leſs conſtant in her reſolution, it muſt be imputed ſolely to her anxious deſire of vindicating her own honour.

Oct. 14.

AT her appearance before the Judges, who were ſeated in the great hall of the caſtle, where they received her with much ceremony, ſhe took care to proteſt, that, by condeſcending to hear and to

give an anſwer to the accuſations which ſhould be brought againſt her, ſhe neither acknowledged the juriſdiction of the court, nor admitted of the validity and juſtice of thoſe acts by which they pretended to try her.

THE Chancellor, by a counter-proteſtation, endeavoured to vindicate the authority of the court.

The accuſation againſt her.

THEN Elizabeth's Attorney and Solicitor opened the charge againſt her, with all the circumſtances of the late conſpiracy. Copies of Mary's letters to Mendoza, Babington, Engleſield, and Paget were produced. Babington's confeſſion, thoſe of Ballard, Savage, and the other conſpirators, together with the declarations of Nau and Curle her ſecretaries, were read, and the whole ranged in the moſt ſpecious order, which the art of the lawyers could deviſe, and heightened by every colour their eloquence could add.

MARY liſtened to their harangues attentively, and without emotion. But at the mention of the Earl of Arundel's name, who was then confined in the Tower, ſhe broke out into this tender and generous exclamation: "Alas! how much has "the noble Houſe of Howard ſuffered for my "ſake!"

Her defence.

WHEN the Queen's counſel had finiſhed, Mary ſtood up, and with great magnanimity, and equal preſence of mind, began her defence. She bewailed the unhappineſs of her own ſituation, that after a captivity of nineteen years, during which ſhe had ſuffered treatment no leſs cruel than unmerited, ſhe was at laſt loaded with an accuſation, which tended not only to rob her of her

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her right of ſucceſſion, and to deprive her of life itſelf, but to tranſmit her name with infamy to future ages: That, without regarding the ſacred rights of Sovereignty, ſhe was now ſubjected to laws framed againſt private perſons; though an anointed Queen, commanded to appear before the tribunal of ſubjects; and, like a common criminal, her honour expoſed to the petulant tongues of lawyers, capable of wreſting her words, and of miſrepreſenting her actions: That, even in this diſhonourable ſituation, ſhe was denied the privileges uſually granted to criminals, and obliged to undertake her own defence, without the preſence of any friend with whom to adviſe, without the aid of counſel, and without the uſe of her own papers.

She then proceeded to the particular articles in the accuſation. She abſolutely denied any correſpondence with Babington or Ballard: Copies only of her pretended letters to them were produced; though nothing leſs than her hand-writing or ſubſcription was ſufficient to convict her of ſuch an odious crime: No proof could be brought that the letters were delivered into her hands, or that any anſwer was returned by her direction: The confeſſions of wretches condemned and executed for ſuch a deteſtable action, were of little weight; fear or hope might extort from them many things inconſiſtent with truth, nor ought the honour of a Queen to be ſtained by ſuch vile teſtimony. The declaration of her ſecretaries was not more concluſive: Promiſes and threats might eaſily overcome the reſolution of two ſtrangers; in

in order to ſcreen themſelves, they might throw the blame on her; but they could diſcover nothing to her prejudice, without violating, in the firſt place, the oath of fidelity which they had ſworn to her; and their perjury, in one inſtance, rendered them unworthy of credit in another: The letters to the Spaniſh Ambaſſador were either nothing more than copies, or contained only what was perfectly innocent: "I have often," continued ſhe, "made ſuch efforts for the recovery "of my liberty, as are natural to a human crea- "ture. Convinced, by the ſad experience of ſo "many years, that it was vain to expect it from "the juſtice or generoſity of the Queen of Eng- "land, I have frequently ſolicited foreign Princes, "and called upon all my friends to employ their "whole intereſt for my relief. I have, likewiſe, "endeavoured to procure for the Engliſh Catho- "lics ſome mitigation of the rigour with which "they are now treated; and if I could hope, by "my death, to deliver them from oppreſſion, I "am willing to die for their ſake. I wiſh, how- "ever, to imitate the example of Eſther, not of "Judith, and would rather make interceſſion for "my people, than ſhed the blood of the meaneſt "creature, in order to ſave them. I have often "checked the intemperate zeal of my adherents, "when either the ſeverity of their own perſe- "cutions, or indignation at the unheard-of in- "juries which I have endured, were apt to pre- "cipitate them into violent councils. I have "even warned the Queen of dangers to which "theſe harſh proceedings expoſed herſelf. And

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"worn out, as I now am, with cares and suf-
"ferings, the prospect of a Crown is not so in-
"viting, that I should ruin my soul in order to
"obtain it. I am no stranger to the feelings of
"humanity, nor unacquainted with the duties of
"religion, and abhor the detestable crime of
"assassination, as equally repugnant to both.
"And, if ever I have given consent by my
"words, or even by my thoughts, to any at-
"tempt against the life of the Queen of Eng-
"land, far from declining the judgment of men,
"I shall not even pray for the mercy of God[t]."

Two different days did Mary appear before the Judges, and in every part of her behaviour maintained the magnanimity of a Queen, tempered with the gentleness and modesty of a woman.

Sentence against her. Octob. 25.

THE Commissioners, by Elizabeth's express command, adjourned, without pronouncing any sentence, to the Star-Chamber in Westminster. When assembled in that place, Nau and Curle were brought into court, and confirmed their former declaration upon oath; and after reviewing all their proceedings, the Commissioners unanimously declared Mary "To be accessary
"to Babington's conspiracy, and to have ima-
"gined diverse matters, tending to the hurt,
"death, and destruction of Elizabeth, contrary
"to the express words of the statute, made for
"the security of the Queen's life[u]."

Irregularities in the trial.

IT is no easy matter to determine whether the injustice in appointing this trial, or the irregularity in conducting it, were greatest and most

[t] Camd. 520, &c. [u] Id. 525.

flagrant.

flagrant. By what right did Elizabeth claim authority over an independent Queen? Was Mary bound to comply with the laws of a foreign kingdom? How could the ſubjects of another Prince become her judges? or if ſuch an inſult on royalty were allowed, ought not the common forms of juſtice to have been obſerved? If the teſtimony of Babington and his aſſociates were ſo explicit, why did not Elizabeth ſpare them for a few weeks, and, by confronting them with Mary, overwhelm her with the full conviction of her crimes? Nau and Curle were both alive, wherefore did not they appear at Fotheringay, and for what reaſon were they produced in the Star-Chamber, where Mary was not preſent to hear what they depoſed? Was this ſuſpicious evidence enough to condemn a Queen? Ought the meaneſt criminal to have been found guilty upon ſuch feeble and inconcluſive proofs?

It was not, however, on the evidence produced at her trial, that the ſentence againſt Mary was founded. That ſerved as a pretence to juſtify, but was not the cauſe of the violent ſteps taken by Elizabeth and her Miniſters towards her deſtruction; and was employed to give ſome appearance of juſtice to what was the offspring of jealouſy and fear. The nation, blinded with reſentment againſt Mary, and ſolicitous to ſecure the life of its own Sovereign from every danger, obſerved no irregularities in the proceedings, and attended to no defects in the proof, but graſped at ſuſpicions and probabilities, as if they had been irrefragable demonſtrations.

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1586. The parliament confirm the sentence,

THE parliament met a few days after sentence was pronounced against Mary. In that illustrious assembly more temper and discernment than are to be found among the people, might have been expected. Both Lords and Commons, however, were equally under the dominion of popular prejudices and passions, and the same excesses of zeal or of fear, which prevailed in the nation, are apparent in all their proceedings. They entered with impatience upon an enquiry into the conspiracy, and the danger which threatened the Queen's life as well as the peace of the kingdom. All the papers which had been produced at Fotheringay, were laid before them; and after many violent invectives against the Queen of Scots, both Houses, unanimously, ratified the proceedings of the Commissioners by whom she had been tried, and declared the sentence against her to be just and well founded. Not satisfied with this, they presented a joint address to the Queen, beseeching her, as she regarded her own safety, the preservation of the Protestant religion, the welfare and wishes of her people, to publish the sentence; and without farther delay to inflict on a rival, no less irreclaimable than dangerous, the punishment which she had merited by so many crimes. This request, dictated by fears unworthy of that great Assembly, was enforced by reasons still more unworthy. They were drawn not from justice, but from conveniency. The most rigorous confinement, it was pretended, could not curb Mary's intriguing spirit; her address was found, by long experience, to be an overmatch for the

and demand the execution of it,

vigilance

vigilance and jealouſy of all her keepers: The ſevereſt penal laws could not reſtrain her adherents, who, while they believed her perſon to be ſacred, would deſpiſe any danger to which themſelves alone were expoſed: Several foreign Princes were ready to ſecond their attempts, and waited only a proper opportunity for invading the kingdom, and aſſerting the Scottiſh Queen's title to the Crown. Her life, they contended, was, for theſe reaſons, incompatible with Elizabeth's ſafety; and if ſhe were ſpared out of a falſe clemency, the Queen's perſon, the religion and liberties of the kingdom, could not be one moment ſecure. Neceſſity required that ſhe ſhould be ſacrificed in order to preſerve theſe; and to prove this ſacrifice to be no leſs juſt than neceſſary, ſeveral examples in hiſtory were produced, and many texts of ſcripture quoted; but both the one and the other were miſapplied, and diſtorted from their true meaning.

Elizabeth's diſſimulation.

NOTHING, however, could be more acceptable to Elizabeth, than an addreſs in this ſtrain. It extricated her out of a ſituation extremely embarraſſing; and without depriving her of the power of ſparing, it enabled her to puniſh her rival with leſs appearance of blame. If ſhe choſe the former, the whole honour would redound to her own clemency. If ſhe determined on the latter, whatever was rigorous might now ſeem to be extorted by the ſolicitations of her people, rather than to flow from her own inclination. Her anſwer, however, was in a ſtyle which ſhe often uſed, ambiguous and evaſive, under the appearance of open-

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nefs and candour; full of fuch profeffions of regard for her people, as ferved to heighten their loyalty; of fuch complaints of Mary's ingratitude, as were calculated to excite their indignation; and of fuch infinuations that her own life was in danger, as could not fail to keep alive their fears. In the end, fhe befought them to fave her the infamy and the pain of delivering up a Queen, her neareft kinfwoman, to punifhment; and to confider whether it might not ftill be poffible to provide for the public fecurity, without forcing her to imbrue her hands in royal blood.

THE true meaning of this reply was eafily underftood. The Lords and Commons renewed their former requeft, with additional importunity, which was far from being either unexpected or offenfive. Elizabeth did not return any anfwer more explicit; and having obtained fuch a public fanction of her proceedings, there was no longer any reafon for protracting this fcene of diffimulation; there was even fome danger that her feigned difficulties might at laft be treated as real ones; fhe therefore adjourned the parliament, and referved in her own hands the fole difpofal of her rival's fate[x].

France interpofes feebly in behalf of Mary.

ALL the Princes in Europe obferved the proceedings againft Mary with aftonifhment and horror; and even Henry III. notwithftanding his known averfion to the houfe of Guife, was obliged to interpofe in her behalf, and to appear in defence of the common rights of royalty. Aubefpine his refident Ambaffador, and Bellievre, who

[x] Camd. 526. D'Ewes, 375.

was

was sent with an extraordinary commission to the same purpose, interceded for Mary with great appearance of warmth. They employed all the arguments which the cause naturally suggested; they pleaded from justice, from generosity, and humanity; they intermingled reproaches and threats. But to all these Elizabeth continued deaf and inexorable; and having received some intimation of Henry's real unconcern about the fate of the Scottish Queen, and knowing his antipathy to all the race of Guise, she trusted, that these loud remonstrances would be followed by no violent resentment[y]. 1586. Nov. 21.

James endeavours to save his mother's life.

She paid no greater regard to the solicitations of the Scottish King, which, as they were urged with greater sincerity, merited more attention. Though her commissioners had been extremely careful to sooth James, by publishing a declaration that their sentence against Mary did, in no degree, derogate from his honour, or invalidate any title which he formerly possessed; he beheld the indignities to which his mother had been exposed, with filial concern, and with the sentiments which became a King. The pride of the Scottish nation was roused, by the insult offered to the blood of their Monarchs, and called upon him to employ the most vigorous efforts, in order to prevent or to revenge the Queen's death.

At first, he could hardly believe that Elizabeth would venture upon an action so unprecedented, which tended so visibly to render the persons of

[y] Camd. 531.

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Princes leſs ſacred in the eyes of the people, and which degraded the regal dignity, of which, at other times, ſhe was ſo remarkably jealous. But as ſoon as the extraordinary ſteps which ſhe took diſcovered her intention, he diſpatched Sir William Keith to London; who, together with Douglas his Ambaſſador in ordinary, remonſtrated, in the ſtrongeſt terms, againſt the injury done to an independent Queen, in ſubjecting her to be tried like a private perſon, and by laws to which ſhe owed no obedience; and beſought Elizabeth not to add to this injury, by ſuffering a ſentence unjuſt in itſelf, as well as diſhonourable to the King of Scots, to be put into execution[z].

Elizabeth returning no anſwer to theſe remonſtrances of his ambaſſador, James wrote to her with his own hand, complaining in the bittereſt terms of her conduct, not without threats that both his duty and his honour would oblige him to renounce her friendſhip, and to act as became a ſon when called to revenge his mother's wrongs[a]. At the ſame time he aſſembled the nobles, who promiſed to ſtand by him in ſo good a cauſe. He appointed ambaſſadors to France, Spain, and Denmark, in order to implore the aid of theſe courts; and took other ſteps towards executing his threats with vigour. The high ſtrain of his letter enraged Elizabeth to ſuch a degree, that ſhe was ready to diſmiſs his ambaſſadors without any reply. But his preparations alarmed and embarraſſed her

[z] See Appendix, No. XVI. Murdin, 573, &c. Birch. Mem. i. 52. [a] Birch. Mem. i. 52.

Miniſters,

Miniſters, and at their intreaty ſhe returned a ſoft and evaſive anſwer, promiſing to liſten to any overture from the King, that tended to his mother's ſafety; and to ſuſpend the execution of the ſentence, until the arrival of new ambaſſadors from Scotland[b].

Decem. 6. The ſentence againſt Mary publiſhed.

MEANWHILE, ſhe commanded the ſentence againſt Mary to be publiſhed, and forgot not to inform the people, that this was extorted from her by the repeated intreaty of both houſes of Parliament. At the ſame time ſhe diſpatched Lord Buckhurſt and Beale to acquaint Mary with the ſentence, and how importunately the nation demanded the execution of it; and though ſhe had not hitherto yielded to theſe ſolicitations, ſhe adviſed her to prepare for an event which might become neceſſary for ſecuring the Proteſtant religion, as well as quieting the minds of the people. Mary received the meſſage not only without ſymptoms of fear, but with expreſſions of triumph. "No wonder, ſaid ſhe, the Engliſh ſhould now "thirſt for the blood of a foreign Prince, they "have often offered violence to their own Mo- "narchs. But after ſo many ſufferings, death "comes to me as a welcome deliverer. I am "proud to think that my life is deemed of im- "portance to the Catholic religion, and as a "martyr for it I am now willing to die[c]."

She is treated with the utmoſt rigour.

AFTER the publication of the ſentence, Mary was ſtripped of every remaining mark of royalty. The canopy of ſtate in her apartment was pulled down; Paulet entered her chamber, and ap-

[b] Spotſw. 251. Cald. iv. 5. [c] Camd. 528. Jebb, 291.

proached

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proached her perſon without any ceremony; and even appeared covered in her preſence. Shocked with theſe indignities, and offended at this groſs familiarity, to which ſhe had never been accuſtomed, Mary once more complained to Elizabeth; and at the ſame time, as her laſt requeſt, intreated that ſhe would permit her ſervants to carry her dead body into France, to be laid among her anceſtors in hallowed ground; that ſome of her domeſtics might be preſent at her death, to bear witneſs of her innocence, and firm adherence to the Catholic faith; that all her ſervants might be ſuffered to leave the kingdom, and to enjoy thoſe ſmall legacies which ſhe ſhould beſtow on them, as teſtimonies of her affection; and that, in the mean time, her almoner, or ſome other Catholic Prieſt, might be allowed to attend her, and to aſſiſt her in preparing for an eternal world. She beſought her, in the name of Jeſus, by the ſoul and memory of Henry VII. their common progenitor, by their near conſanguinity, and the royal dignity with which they were both inveſted, to gratify her in theſe particulars, and to indulge her ſo far as to ſignify her compliance by a letter under her own hand. Whether Mary's letter was ever delivered to Elizabeth is uncertain. No anſwer was returned, and no regard paid to her requeſts. She was offered a Proteſtant Biſhop or Dean to attend her. Them ſhe rejected, and without any clergyman to direct her devotions, ſhe prepared, in great tranquillity, for the approach of death, which ſhe now believed to be at no great diſtance [d].

Decem. 19.

[d] Camd. 528. Jebb, ii. 295.

JAMES,

1587. James renews his solicitations in her behalf. January 1.

JAMES, without losing a moment, sent new ambassadors to London. These were the Master of Gray, and Sir Robert Melvil. In order to remove Elizabeth's fears, they offered that their Master would become bound that no conspiracy should be undertaken against her person, or the peace of the kingdom, with Mary's consent; and for the faithful performance of this, would deliver some of the most considerable of the Scottish nobles as hostages. If this were not thought sufficient, they proposed that Mary should resign all her rights and pretensions to her son, from whom nothing injurious to the Protestant religion, or inconsistent with Elizabeth's safety, could be feared. The former proposal Elizabeth rejected as insecure; the latter, as dangerous. The Ambassadors were then instructed to talk in a higher tone; and Melvil executed the commission with fidelity and with zeal. But Gray, with his usual perfidy, deceived his Master, who trusted him with a negotiation of so much importance, and betrayed the Queen whom he was employed to save. He encouraged and urged Elizabeth to execute the sentence against her rival. He often repeated the old proverbial sentence, "The dead cannot bite." And whatever should happen, he undertook to pacify the King's rage, or at least to prevent any violent effects of his resentment[e].

Elizabeth's anxiety and dissimulation.

ELIZABETH, meanwhile, discovered all the symptoms of the most violent agitation and disquietude of mind. She shunned society, she was

[e] Spotsw. 352. Murdin, 568. See Append. No. XVII.

often

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often found in a melancholy and musing posture, and repeating with much emphasis these sentences which she borrowed from some of the devices then in vogue; *Aut fer aut feri*; *ne feriare, feri*. Much, no doubt, of this apparent uneasiness must be imputed to dissimulation; it was impossible, however, that a Princess, naturally so cautious as Elizabeth, should venture on an action, which might expose her memory to infamy, and her life and kingdom to danger, without reflecting deeply, and hesitating long. The people waited her determination in suspense and anxiety; and lest their fear or their zeal should subside, rumours of danger were artfully invented, and propagated with the utmost industry; Aubespine, the French Ambassador, was accused of having suborned an assassin to murder the Queen. The Spanish fleet was said by some to be already arrived at Milford-haven. Others affirmed that the Duke of Guise had landed with a strong army in Sussex. Now, it was reported that the Northern counties were up in arms; next day, that the Scots had entered England with all their forces; and a conspiracy, it was whispered, was on foot for seizing the Queen, and burning the city. The panic grew every day more violent; and the people, astonished and enraged, called for the execution of the sentence against Mary, as the only thing which could restore tranquillity to the kingdom[f].

Warrant for Mary's execution signed. February 1.

While these sentiments prevailed among her subjects, Elizabeth thought she might safely venture to strike the blow, which she had so long me-

[f] Camd. 533, 534.

ditated.

ditated. She commanded Davison, one of the secretaries of state, to bring to her the fatal warrant; and her behaviour on that occasion plainly shewed that it is not to humanity that we must ascribe her forbearance hitherto. At the very moment she was signing the writ which gave up a woman, a Queen, and her own nearest relation, into the hands of the executioner, she was capable of jesting. "Go, says she to Davison, and tell Walsingham what I have now done, though I am afraid he will die for grief when he hears it." Her chief anxiety was how to secure the advantages which would arise from Mary's death, without appearing to have given her consent to a deed so odious. She often hinted to Paulet and Drury, as well as to some other courtiers, that now was the time to discover the sincerity of their concern for her safety, and that she expected their zeal would extricate her out of her present perplexity. But they were wise enough to seem not to understand her meaning. Even after the warrant was signed, she commanded a letter to be written to Paulet, in less ambiguous terms, complaining of his remissness in sparing so long the life of her capital enemy, and begging him to remember at last what was incumbent on him as an affectionate subject, as well as what he was bound to do by the oath of association, and to deliver his Sovereign from continual fear and danger, by shortening the days of his prisoner. Paulet, though rigorous and harsh, and often brutal in the discharge of what he thought his duty, as Mary's keeper, was nevertheless a man of honour and integrity. 1587.

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tegrity. He rejected the propoſal with diſdain; and lamenting that he ſhould ever have been deemed capable of acting the part of an aſſaſſin, he declared that the Queen might diſpoſe of his life at her pleaſure, but that he would never ſtain his own honour, nor leave an everlaſting mark of infamy on his poſterity, by lending his hand to perpetrate ſo foul a crime. On the receipt of this anſwer, Elizabeth became extremely peeviſh; and calling him a *dainty* and *preciſe fellow*, who would promiſe much, but perform nothing, ſhe propoſed to employ one Wingfield, who had both courage and inclination to ſtrike the blow[g]. But Daviſon remonſtrating againſt this, as a deed diſhonourable in itſelf, and of dangerous example, ſhe again declared her intention that the ſentence pronounced by the commiſſioners ſhould be executed according to law; and as ſhe had already ſigned the warrant, ſhe begged that no farther application might be made to her on that head. By this the privy counſellors thought themſelves ſufficiently authoriſed to proceed; and prompted, as they pretended, by zeal for the Queen's ſafety, or inſtigated, as is more probable, by the apprehenſion of the danger to which they would themſelves be expoſed, if the life of the Queen of Scots were ſpared, they aſſembled in the Council Chamber; and, by a letter under all their hands, empowered the Earls of Shrewſbury and Kent, together with the High Sheriff of the county, to ſee the ſentence put in execution[h].

[g] Biogr. Britan. Article *Daviſon*.

[h] Camd. 534. Strype, iii. 361. 364.

On

1587. Mary's behaviour at her death.

On Tuesday the seventh of February, the two Earls arrived at Fotheringay, and demanded access to the Queen, read in her presence the warrant for execution, and required her to prepare to die next morning. Mary heard them to the end without emotion, and crossing herself in the name of the Father, and of the Son, and of the Holy Ghost, "That soul," said she, "is not worthy the joys of Heaven, which repines because the body must endure the stroke of the executioner; and though I did not expect that the Queen of England would set the first example of violating the sacred person of a Sovereign Prince, I willingly submit to that which Providence has decreed to be my lot." And laying her hand on a Bible, which happened to be near her, she solemnly protested that she was innocent of that conspiracy which Babington had carried on against Elizabeth's life[i]. She then mentioned the requests contained in her letter to Elizabeth, but obtained no satisfactory answer. She entreated with particular earnestness, that now in her last moments her Almoner might be suffered to attend her, and that she might enjoy the consolation of those pious institutions prescribed by her religion. Even this favour, which is usually granted to the vilest criminal, was absolutely denied.

Her attendants, during this conversation, were bathed in tears, and though overawed by the presence of the two Earls, with difficulty suppressed their anguish; but no sooner did Kent and Shrews-

[i] Jebb, ii. 301.

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bury withdraw, than they ran to their Miſtreſs, and burſt out into the moſt paſſionate expreſſions of tenderneſs and ſorrow. Mary, however, not only retained perfect compoſure of mind herſelf, but endeavoured to moderate their exceſſive grief; and falling on her knees, with all her domeſtics round her, ſhe thanked Heaven that her ſufferings were now ſo near an end, and prayed that ſhe might be enabled to endure what ſtill remained with decency and with fortitude. The greater part of the evening ſhe employed in ſettling her worldly affairs. She wrote her teſtament with her own hand. Her money, her jewels, and her clothes, ſhe diſtributed among her ſervants, according to their rank or merit. She wrote a ſhort letter to the King of France, and another to the Duke of Guiſe, full of tender but magnanimous ſentiments, and recommended her ſoul to their prayers, and her afflicted ſervants to their protection. At ſupper, ſhe eat temperately, as uſual, and converſed not only with eaſe, but with cheerfulneſs; ſhe drank to every one of her ſervants, and aſked their forgiveneſs, if ever ſhe had failed in any part of her duty towards them. At her wonted time ſhe went to bed, and ſlept calmly a few hours. Early in the morning ſhe retired into her cloſet, and employed a conſiderable time in devotion. At eight o'clock the High Sheriff and his officers entered her chamber, and found her ſtill kneeling at the altar. She immediately ſtarted up, and with a majeſtic mien, and a countenance undiſmayed, and even cheerful, advanced towards the place of execution, leaning on

on two of Paulet's attendants. She was dreſſed in a mourning habit, but with an elegance and ſplendour which ſhe had long laid aſide, except on a few feſtival days. An *Agnus Dei* hung by a pomander chain at her neck; her beads at her girdle; and in her hand ſhe carried a crucifix of ivory. At the bottom of the ſtairs the two Earls, attended by ſeveral gentlemen from the neighbouring counties, received her; and there Sir Andrew Melvil, the Maſter of her Houſhold, who had been ſecluded for ſome weeks from her preſence, was permitted to take his laſt farewel. At the ſight of a Miſtreſs whom he tenderly loved, in ſuch a ſituation, he melted into tears; and as he was bewailing her condition, and complaining of his own hard fate in being appointed to carry the account of ſuch a mournful event into Scotland, Mary replied, "Weep not, good Melvil, there is at preſent greater cauſe for rejoicing. Thou ſhalt this day ſee Mary Stewart delivered from all her cares, and ſuch an end put to her tedious ſufferings, as ſhe has long expected. Bear witneſs that I die conſtant in my religion; firm in my fidelity towards Scotland; and unchanged in my affection to France. Commend me to my ſon. Tell him I have done nothing injurious to his kingdom, to his honour, or to his rights; and God forgive all thoſe who have thirſted, without cauſe, for my blood."

With much difficulty, and after many intreaties, ſhe prevailed on the two Earls to allow Melvil, together with three of her men ſervants, and two of her maids, to attend her to the ſcaffold. It

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was erected in the same hall where she had been tried, raised a little above the floor, and covered, as well as a chair, the cushion, and block, with black cloth. Mary mounted the steps with alacrity, beheld all this apparatus of death with an unaltered countenance, and signing herself with the cross, she sat down in the chair. Beale read the warrant for execution with a loud voice, to which she listened with a careless air, and like one occupied in other thoughts. Then the Dean of Peterborough began a devout discourse, suitable to her present condition, and offered up prayers to Heaven in her behalf; but she declared that she could not in conscience hearken to the one, nor join with the other; and kneeling down, repeated a Latin prayer. When the Dean had finished his devotions, she, with an audible voice, and in the English tongue, recommended unto God the afflicted state of the Church, and prayed for prosperity to her son, and for a long life and peaceable reign to Elizabeth. She declared that she hoped for mercy only through the death of Christ, at the foot of whose image she now willingly shed her blood; and lifting up, and kissing the crucifix, she thus addressed it, "As thy arms, O Jesus, were extended on the Cross; so with the outstretched arms of thy mercy receive me, and forgive my sins."

She then prepared for the block, by taking off her veil, and upper garments; and one of the executioners rudely endeavouring to assist, she gently checked him, and said, with a smile, that she had not been accustomed to undress before so many spectators,

ſpectators, nor to be ſerved by ſuch valets. With calm but undaunted fortitude, ſhe laid her neck on the block; and while one executioner held her hands, the other, at the ſecond ſtroke, cut off her head, which falling out of its attire, diſcovered her hair already grown quite grey with cares and ſorrows. The executioner held it up ſtill ſtreaming with blood, and the Dean crying out, "So periſh all Queen Elizabeth's enemies," the Earl of Kent alone anſwered Amen. The reſt of the ſpectators continued ſilent, and drowned in tears; being incapable, at that moment, of any other ſentiments but thoſe of pity or admiration[k].

Sentiments of hiſtorians concerning her.

SUCH was the tragical death of Mary Queen of Scots, after a life of forty-four years and two months, almoſt nineteen years of which ſhe paſſed in captivity. The political parties which were formed in the kingdom, during her reign, have ſubſiſted, under various denominations, ever ſince that time. The rancour, with which they were at firſt animated, hath deſcended to ſucceeding ages, and their prejudices, as well as their rage, have been perpetuated, and even augmented. Among hiſtorians, who were under the dominion of all theſe paſſions, and who have either aſcribed to her every virtuous and amiable quality, or have imputed to her all the vices, of which the human heart is ſuſceptible, we ſearch in vain for Mary's real character. She neither merited the exaggerated praiſes of the one, nor the undiſtinguiſhing cenſure of the other.

[k] Camd. 534. Spotſw. 355. Jebb, ii. 300. Strype, iii. 383. See Appendix, No. XVIII.

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1587. Her character.

To all the charms of beauty, and the utmoſt elegance of external form, ſhe added thoſe accompliſhments, which render their impreſſion irreſiſtible. Polite, affable, inſinuating, ſprightly, and capable of ſpeaking and of writing with equal eaſe and dignity. Sudden, however, and violent in all her attachments; becauſe her heart was warm and unſuſpicious. Impatient of contradiction; becauſe ſhe had been accuſtomed from her infancy to be treated as a Queen. No ſtranger, on ſome occaſions, to diſſimulation; which, in that perfidious court where ſhe received her education, was reckoned among the neceſſary arts of government. Not inſenſible of flattery, or unconſcious of that pleaſure, with which almoſt every woman beholds the influence of her own beauty. Formed with the qualities which we love, not with the talents that we admire; ſhe was an agreeable woman, rather than an illuſtrious Queen. The vivacity of her ſpirit not ſufficiently tempered with ſound judgment, and the warmth of her heart, which was not, at all times, under the reſtraint of diſcretion, betrayed her both into errors, and into crimes. To ſay that ſhe was always unfortunate, will not account for that long and almoſt uninterrupted ſucceſſion of calamities which befel her; we muſt likewiſe add, that ſhe was often imprudent. Her paſſion for Darnly was raſh, youthful, and exceſſive; and though the ſudden tranſition to the oppoſite extreme was the natural effect of her ill-requited love, and of his ingratitude, inſolence, and brutality; yet neither theſe, nor Bothwell's artful addreſs and important ſervices,

vices, can juſtify her attachment to that nobleman. Even the manners of the age, licentious as they were, are no apology for this unhappy paſſion; nor can they induce us to look on that tragical and infamous ſcene which followed upon it with leſs abhorrence. Humanity will draw a veil over this part of her character which it cannot approve, and may, perhaps, prompt ſome to impute ſome of her actions to her ſituation, more than to her diſpoſitions; and to lament the unhappineſs of the former, rather than accuſe the perverſeneſs of the latter. Mary's ſufferings exceed, both in degree and in duration, thoſe tragical diſtreſſes which fancy has feigned to excite ſorrow and commiſeration; and while we ſurvey them, we are apt altogether to forget her frailties, we think of her faults with leſs indignation, and approve of our tears, as if they were ſhed for a perſon who had attained much nearer to pure virtue. BOOK VII. 1587.

With regard to the Queen's perſon, a circumſtance not to be omitted in writing the hiſtory of a female reign, all contemporary authors agree in aſcribing to Mary the utmoſt beauty of countenance, and elegance of ſhape, of which the human form is capable. Her hair was black, though, according to the faſhion of that age, ſhe frequently wore borrowed locks, and of different colours. Her eyes were a dark grey; her complexion was exquiſitely fine; and her hands and arms remarkably delicate, both as to ſhape and colour. Her ſtature was of an height that roſe to the majeſtic. She danced, ſhe walked, and rode with equal

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grace. Her taſte for muſic was juſt, and ſhe both ſung and played upon the lute with uncommon ſkill. Towards the end of her life, long confinement, and the coldneſs of the houſes in which ſhe had been impriſoned, brought on a rheumatiſm, which often deprived her of the uſe of her limbs. No man, ſays Brantome, ever beheld her perſon without admiration and love, or will read her hiſtory without ſorrow.

None of her women were ſuffered to come near her dead body, which was carried into a room adjoining to the place of execution, where it lay, for ſome days, covered with a coarſe cloth torn from a billiard table. The block, the ſcaffold, the aprons of the executioners, and every thing ſtained with her blood, were reduced to aſhes. Not long after, Elizabeth appointed her body to be buried in the Cathedral of Peterborough with royal magnificence. But this vulgar artifice was employed in vain; the pageantry of a pompous funeral did not efface the memory of thoſe injuries which laid Mary in her grave. James, ſoon after his acceſſion to the Engliſh throne, ordered her body to be removed to Weſtminſter-abbey, and to be depoſited among the Monarchs of England.

Elizabeth affects to lament Mary's death.

Elizabeth affected to receive the accounts of Mary's death with the moſt violent emotions of ſurpriſe and of concern. Sighs, tears, lamentations and mourning, were all employed to diſplay the reality and greatneſs of her ſorrow. Evident marks of diſſimulation and artifice may be traced through every period of Elizabeth's proceedings againſt the life of the Scottiſh Queen. The com-

miſſion for bringing Mary to a public trial was ſeemingly extorted from her by the intreaties of her privy counſellors. She delayed publiſhing the ſentence againſt her till ſhe was twice ſolicited by both Houſes of Parliament. Nor did ſhe ſign the warrant for execution without the utmoſt apparent reluctance. One ſcene more of the boldeſt and moſt ſolemn deceit remained to be exhibited. She undertook to make the world believe that Mary had been put to death without her knowledge, and againſt her will. Daviſon, who neither ſuſpected her intention, nor his own danger, was her inſtrument in carrying on this artifice, and fell a victim to it.

It was his duty, as Secretary of State, to lay before her the warrant for execution, in order to be ſigned; and, by her command, he carried it to the Great Seal. She pretended, however, that ſhe had charged him not to communicate what ſhe had done to any perſon, nor to ſuffer the warrant to go out of his hands, without her expreſs permiſſion; that, in contempt of this order, he had not only revealed the matter to ſeveral of her Miniſters, but had, in concert with them, aſſembled her Privy Counſellors, by whom, without her conſent or knowledge, the warrant was iſſued, and the Earls of Shrewſbury and Kent impowered to put it in execution. Though Daviſon denied all this, and with circumſtances which bear the ſtrongeſt marks of truth and credibility; though it can ſcarcely be conceived that her Privy Council, compoſed of the perſons in whom ſhe moſt confided, of her Miniſters and favourites, would

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assemble within the walls of her palace, and venture to transact a matter of so much importance, without her privity, and contrary to her inclination; yet so far did she carry her dissimulation, that, with all the signs of displeasure and of rage, she banished most of her Counsellors out of her presence; and treated Burleigh, in particular, so harshly, and with such marks of disgust, that he gave up himself for lost, and in the deepest affliction wrote to the Queen, begging leave to resign all his places, that he might retire to his own estate. Davison she instantly deprived of his office, and committed him a close prisoner to the Tower. He was soon after brought to a solemn trial in the Star Chamber, condemned to pay a fine of ten thousand pounds, and to be imprisoned during the Queen's pleasure. He languished several years in confinement, and never recovered any degree of favour or of power. As her jealousy and fear had bereaved the Queen of Scots of life, in order to palliate this part of her conduct, Elizabeth made no scruple of sacrificing the reputation and happiness of one of the most virtuous and able men in her kingdom[1].

March.

Elizabeth endeavours to sooth James.

This solemn farce, for it deserves no better name, furnished Elizabeth, however, with an apology to the King of Scots. As the prospect of his mother's danger had excited the King's filial care and concern, the account of her death filled him with grief and resentment. His subjects felt the dishonour done to him, and to the nation.

[1] Camd. 536. Strype, iii. 370. See Append. No. XIX. Cabala, 229, &c.

In order to ſooth both, Elizabeth inſtantly diſpatched Robert Carey, one of Lord Hunſdon's ſons, with a letter expreſſing her extreme affliction on account of that miſerable accident, which, as ſhe pretended, had happened far contrary to her appointment or intention. James would not permit her meſſenger to enter Scotland; and with ſome difficulty received a memorial which he ſent from Berwick. It contained the tale concerning Daviſon, dreſſed up with all the circumſtances which tended to exculpate Elizabeth, and to throw the whole blame on his raſhneſs or treachery. Such a defence gave little ſatisfaction, and was conſidered as mockery added to inſult; and many of the nobles, as well as the King, breathed nothing but revenge. Elizabeth was extremely ſolicitous to pacify them, and ſhe wanted neither able inſtruments, nor plauſible reaſons, in order to accompliſh this. Leiceſter wrote to the King, and Walſingham to Secretary Maitland. They repreſented the certain deſtruction to which James would expoſe himſelf, if, with the forces of Scotland alone, he ſhould venture to attack a kingdom ſo far ſuperior in power; that the hiſtory of paſt ages, as well as his mother's ſad experience, might convince him, that nothing could be more dangerous, or deceitful, than dependance on foreign aid; that the King of France would never wiſh to ſee the Britiſh kingdoms united under one Monarch, nor contribute to inveſt a Prince ſo nearly allied to the Houſe of Guiſe with ſuch formidable power; that Philip might be a more active ally, but would

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would certainly prove a more dangerous one, and, under pretence of aſſiſting him, would aſſert his own right to the Engliſh Crown, which he already began openly to claim; that the ſame ſtatute, on which the ſentence of death againſt his mother had been founded, would juſtify the excluding him from the ſucceſſion to the Crown; that the Engliſh, naturally averſe from the dominion of ſtrangers, would not fail, if exaſperated by his hoſtilities, to apply it in that manner; that Elizabeth was diſpoſed to repair the wrongs which the mother had ſuffered, by her tenderneſs and affection towards the ſon; and that, by engaging in a fruitleſs war, he would deprive himſelf of a noble inheritance, which, by cultivating her friendſhip, he muſt infallibly obtain. Theſe repreſentations, added to the conſciouſneſs of his own weakneſs, to the ſmallneſs of his revenues, to the mutinous ſpirit of ſome of the nobles, to the dubious fidelity of others, and to the influence of that faction which was entirely at Elizabeth's devotion, convinced James that a war with England, however juſt, would in the preſent juncture be altogether impolitical. All theſe conſiderations induced him to ſtifle his reſentment; to appear ſatisfied with the puniſhment inflicted on Daviſon; and to preſerve all the ſemblances of friendſhip with the Engliſh court[m]. In this manner did the cloud which threatened ſuch a ſtorm paſs away. Mary's death, like that of a common criminal, remained unavenged by any Prince; and what-

[m] Spotſw. 362. Cald. iv. 13, 14. Strype, iii. 377.

ever

ever infamy Elizabeth might incur, she was exposed to no new danger on that account.

1587. Disgrace of the Master of Gray.

Mary's death, however, proved fatal to the Master of Gray, and lost him the King's favour, which he had for some time possessed. He was become as odious to the nation as favourites, who acquire power without merit, and exercise it without discretion, usually are. The treacherous part which he had acted during his late embassy, was no secret, and filled James, who at length came to the knowledge of it, with astonishment. The courtiers observed the symptoms of disgust arising in the King's mind, his enemies seized the opportunity, and Sir William Stewart, in revenge of the perfidy with which Gray had betrayed his brother Captain James, publicly accused him before a Convention of nobles, not only of having contributed, by his advice and suggestions, to take away the life of the Queen, but of holding correspondence with Popish Princes, in order to subvert the religion established in the kingdom. Gray, unsupported by the King, deserted by all, and conscious of his own guilt, made a feeble defence. He was condemned to perpetual banishment, a punishment very unequal to his crimes. But the King was unwilling to abandon one, whom he had once favoured so highly, to the rigour of justice; and Lord Hamilton, his near relation, and the other nobles who had lately returned from exile, in gratitude for the zeal with which he had served them, interceded warmly in his behalf. May 19.

Having thus accomplished the destruction of one of his enemies, Captain James Stewart thought

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1587. thought the juncture favourable for profecuting his revenge on them all. He fingled out Secretary Maitland, the moft eminent both for abilities and enmity to him; and offered to prove that he was no lefs acceffary than Gray to the Queen's death, and had even formed a defign of delivering up the King himfelf into the hands of the Engliſh. But time and abfence had, in a great meafure, extinguifhed the King's affection for a minion who fo little deferved it. All the courtiers combined againſt him as a common enemy; and, inſtead of gaining his point, he had the mortification to fee the office of Chancellor conferred upon Maitland, who, together with that dignity, enjoyed all the power and influence of a prime miniſter.

In the Aſſembly of the Church, which met this year, the fame hatred to the order of Biſhops, and the fame jealouſy and fear of their encroachments, appeared. But as the King was now of full age, and a parliament was fummoned on that occaſion, the Clergy remained ſatisfied with appointing ſome of their number to repreſent their grievances to that court, from which great things were expected.

The King attempts to unite the nobles,

Previous to this meeting of Parliament, James attempted a work worthy of a King. The deadly feuds which ſubſiſted between many of the great families, and which were tranſmitted from one generation to another, weakened the ſtrength of the kingdom; contributed, more than any other circumſtance, to preſerve a fierce and barbarous ſpirit among the nobles; and proved the occaſion of many

many disasters to themselves, and to their country. After many preparatory negotiations, he invited the contending parties to a royal entertainment in the palace of Holy-rood-house; and partly by his authority, partly by his entreaties, obtained their promise to bury their dissensions in perpetual oblivion. From thence he conducted them, in solemn procession, through the streets of Edinburgh, marching by pairs, each hand in hand with his enemy. A collation of wine and sweetmeats was prepared at the public Cross, and there they drank to each other, with all the signs of reciprocal forgiveness, and of future friendship. The people, who were present at a spectacle so unusual, conceived the most sanguine hopes of seeing concord and tranquillity established in every part of the kingdom, and testified their satisfaction by repeated acclamations[n]. Unhappily the effects of this reconciliation were not correspondent either to the pious endeavours of the King, or the fond wishes of the people.

The first care of the parliament was the security of the Protestant religion. All the laws passed in its favour, since the Reformation, were ratified; and a new and severe one was enacted against seminary Priests and Jesuits, whose restless industry in making proselytes brought many of them into Scotland about this time. Two acts of this parliament deserve more particular notice, on account of the consequences with which they were followed.

[n] Spotsw. 164. Cald. iv. 13.

The

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1587. General annexation of Church-lands.

THE one reſpected the lands of the Church. As the public revenues were not ſufficient for defraying the King's ordinary charges; as the adminiſtration of the government became more complicated and more expenſive; as James was naturally profuſe, and a ſtranger to œconomy; it was neceſſary, on all theſe accounts, to provide ſome fund proportioned to his exigencies. But no conſiderable ſum could be levied on the Commons, who did not enjoy the benefit of an extenſive commerce. The nobles were unaccuſtomed to bear the burden of heavy taxes. The revenues of the Church were the only ſource whence a proper ſupply could be drawn. Notwithſtanding all the depredations of the laity ſince the Reformation, and the various devices which they had employed to ſeize the Church lands, ſome conſiderable portion of them remained ſtill unalienated, and were held either by the Biſhops who poſſeſſed the benefices, or were granted to laymen during pleaſure. All theſe lands were, in this parliament, annexed, by one general law[o], to the Crown, and the King was impowered to apply the rents of them to his own uſe. The tithes alone were reſerved for the maintenance of the perſons who ſerved the cure, and the principal manſion-houſe, with a few acres of land, by way of glebe, allotted for their reſidence. By this great acceſſion of property, it is natural to conclude that the King muſt have acquired a vaſt increaſe of power, and the influence of the nobles have ſuffered a propor-

[o] Parl. 11 Jac. VI. c. 29.

tional

tional diminution. The very reverſe of this ſeems, however, to have been the caſe. Almoſt all grants of Church-lands, prior to this act, were thereby confirmed; and titles, which were formerly reckoned precarious, derived from thence the ſanction of parliamentary authority. James was likewiſe authoriſed, during a limited time, to make new alienations; and ſuch was the facility of his temper, ever ready to yield to the ſolicitations of his ſervants, and to gratify their moſt extravagant demands, that not only during the time limited, but throughout his whole reign, he was continually employed in beſtowing, and his parliament in ratifying grants of this kind to his nobles; hence little advantage accrued to the Crown from that which might have been ſo valuable an addition to its revenues. The Biſhops, however, were great ſufferers by the law. But at this juncture neither the King nor his Miniſters were ſolicitous about the intereſts of an order of men, odious to the people, and perſecuted by the Clergy. Their enemies promoted the law with the utmoſt zeal. The proſpect of ſharing in their ſpoils induced all parties to conſent to it; and after a ſtep ſo fatal to the wealth and power of the dignified Clergy, it was no difficult matter to introduce that change in the government of the Church which ſoon after took place[p].

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Leſſer Barons admitted into parliament by their repreſentatives.

THE change which the other Statute produced in the civil conſtitution was no leſs remarkable. Under the Feudal ſyſtem, every Freeholder or vaſſal of the Crown had a right to be preſent in

[p] Spotſw. 365.

Par-

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Parliament. Theſe Freeholders were, originally, few in number, but poſſeſſed of great and extenſive property. By degrees, theſe vaſt poſſeſſions were divided by the proprietors themſelves, or parcelled out by the Prince, or ſplit by other accidents. The number of Freeholders became greater, and their condition more unequal: beſides the ancient Barons, who preſerved their eſtates and their power unimpaired, there aroſe another order, whoſe rights were the ſame, though their wealth and influence were far inferior. But, in rude ages when the art of government was extremely imperfect, when parliaments were ſeldom aſſembled, and delibe-rated on matters little intereſting to a martial people, few of the *Leſſer Barons* took their ſeats, and the whole parliamentary juriſdiction was exer-ciſed by the *Greater Barons*, in conjunction with the Eccleſiaſtical order. James I. fond of imitat-ing the forms of the Engliſh conſtitution, to which he had been long accuſtomed, and deſirous of providing a counterpoiſe to the power of the great nobles, procured an act in the year one thouſand four hundred and twenty-ſeven, diſpenſing with the perſonal attendance of the Leſſer Barons, and impowering thoſe in each county to chuſe two Commiſſioners to repreſent them in Parliament. This law, like many other regulations of that wiſe Prince, produced little effect. All the King's vaſſals continued, as formerly, poſſeſſed of a right to be preſent in Parliament; but, unleſs in ſome extraordinary conjunctures, the Greater Barons alone attended. But, by means of the Reforma-tion, the conſtitution had undergone a great change.

change. The ariſtocratical power of the nobles had been much increaſed, and the influence of the Eccleſiaſtical order, which the Crown uſually employed to check their uſurpations, and to balance their authority, had diminiſhed in proportion. Many of the Abbies and Priories had been erected into temporal peerages; and the Proteſtant Biſhops, an indigent race of men, and odious to the nation, were far from poſſeſſing the weight and credit which their predeceſſors derived from their own exorbitant wealth, and the ſuperſtitious reverence of the people. In this ſituation, the King had recourſe to the expedient employed by James I. and obtained a law reviving the ſtatute of one thouſand four hundred and twenty-ſeven; and from that time the Commons of Scotland have ſent their repreſentatives to parliament. An act, which tended ſo viſibly to abridge their authority, did not paſs without oppoſition from many of the nobles. But as the King had a right to ſummon the Leſſer Barons to attend in perſon, others were apprehenſive of ſeeing the houſe filled with a multitude of his dependants, and conſented the more willingly to a law which laid them under the reſtriction of appearing only by their repreſentatives.

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THE year one thouſand five hundred and eighty-eight began with an univerſal expectation throughout all Europe, that it was to be diſtinguiſhed by wonderful events and revolutions. Several aſtrologers, according to the accounts of contemporary hiſtorians, had predicted this; and the ſituation of affairs in the two principal king-

1588. The approach of the Spaniſh armado.

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doms of Europe was such, that a sagacious observer, without any supernatural intelligence, might have hazarded the prediction, and have foreseen the approach of some grand crisis. In France, it was evident from the astonishing progress of the league, conducted by a leader whose ambition was restrained by no scruples, and whose genius had hitherto surmounted all difficulties; as well as from the timid, variable, and impolitic councils of Henry III. that either that Monarch must submit to abandon the throne, of which he was unworthy; or by some sudden and daring blow cut off his formidable rival. Accordingly, in the beginning of the year, the Duke of Guise drove his Master out of his capital city, and forced him to conclude a peace, which left him only the shadow of royalty; and before the year expired, he himself fell a victim to the resentment and fear of Henry, and to his own security. In Spain, the operations were such as promised something still more uncommon. During three years, Philip had employed all the power of his European dominions, and exhausted the treasures of the Indies, in vast preparations for war. A fleet, the greatest that had ever appeared in the ocean, was ready to sail from Lisbon, and a numerous land army was assembled to embark on board of it. Its destination was still unknown, though many circumstances made it probable that the blow was aimed, in the first place, against England. Elizabeth had long given secret aid to the revolted provinces in the Low Countries, and now openly afforded them her protection. A numerous

numerous body of her troops was in their ſervice; the Earl of Leiceſter commanded their armies; ſhe had great ſway in the civil government of the Republic; and ſome of its moſt conſiderable towns were in her poſſeſſion. Her fleets had inſulted the coaſts of Spain, intercepted the galleons from the Weſt Indies, and threatened the colonies there. Rouſed by ſo many injuries, allured by views of ambition, and animated by a ſuperſtitious zeal for propagating the Romiſh religion, Philip reſolved not only to invade, but to conquer England, to which his deſcent from the houſe of Lancaſter, and the donation of Pope Sixtus V. gave him, in his own opinion, a double title.

Conduct of James on that occaſion.

ELIZABETH ſaw the danger approach, and prepared to encounter it. The meaſures for the defence of her kingdom were concerted and carried on with the wiſdom and vigour which diſtinguiſhed her reign. Her chief care was to ſecure the friendſhip of the King of Scots. She had treated the Queen his mother with a rigour unknown among Princes; ſhe had often uſed himſelf harſhly, and with contempt; and though he had hitherto prudently ſuppreſſed his reſentment of theſe injuries, ſhe did not believe it to be altogether extinguiſhed, and was afraid that, in her preſent ſituation, it might burſt out with a fatal violence. Philip, ſenſible how much an alliance with Scotland would facilitate his enterpriſe, courted James with the utmoſt aſſiduity. He excited him to revenge his Mother's wrong; he flattered him with the hopes of ſharing his conqueſts; and offered him in marriage his daughter

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the Infanta Iſabella. At the ſame time, Scotland ſwarmed with prieſts, his emiſſaries, who ſeduced ſome of the nobles to Popery, and corrupted others with bribes and promiſes. Huntly, Errol, Crawford, were the heads of a faction, which openly eſpouſed the intereſt of Spain. Lord Maxwell, arriving from that court, began to aſſemble his followers, and to take arms, that he might be ready to join the Spaniards. In order to counterbalance all theſe, Elizabeth made the warmeſt profeſſions of friendſhip to the King; and Aſhby, her Ambaſſador, entertained him with magnificent hopes and promiſes. He aſſured him that his right of ſucceſſion to the Crown ſhould be publicly acknowledged in England; that he ſhould be created a Duke in that kingdom; that he ſhould be admitted to ſome ſhare in the government; and receive a conſiderable penſion annually. James, it is probable, was too well acquainted with Elizabeth's arts, to rely entirely on theſe promiſes. But he underſtood his own intereſt in the preſent juncture, and purſued it with much ſteadineſs. He rejected an alliance with Spain, as dangerous. He refuſed to admit into his preſence an ambaſſador from the Pope. He ſeized Colonel Semple, an agent of the Prince of Parma. He drove many of the ſeminary Prieſts out of the kingdom. He marched ſuddenly to Dumfries, diſperſed Maxwell's followers, and took him priſoner. In a Convention of the nobles he declared his reſolution to adhere inviolably to the league with England; and, without liſtening to the ſuggeſtions of revenge, determined to act in concert with

with Elizabeth, againſt the common enemy of the Proteſtant faith. He put the kingdom in a poſture of defence, and levied troops to obſtruct the landing of the Spaniards. He offered to ſend an army to Elizabeth's aſſiſtance, and told her Ambaſſador, that he expected no other favour from the King of Spain, but that which Polyphemus had promiſed to Ulyſſes, that when he had devoured all his companions, he would make him his laſt morſel[q].

A national covenant in defence of religion.

THE zeal of the people, on this occaſion, was not inferior to that of the King; and the extraordinary danger, with which they were threatened, ſuggeſted to them an extraordinary expedient for their ſecurity. A bond was framed for the maintenance of true religion, as well as the defence of the King's perſon and government, in oppoſition to all enemies, foreign and domeſtic. This contained a confeſſion of the Proteſtant faith, a particular renunciation of the errors of Popery, and the moſt ſolemn promiſes, in the name, and through the ſtrength of God, of adhering to each other in ſupporting the former, and contending againſt the latter, to the utmoſt of their power[r]. The King, the Nobles, the Clergy and the people ſubſcribed with equal alacrity. Strange or uncommon as ſuch a combination may now appear, many circumſtances contributed, at that time, to recommend it, and to render the idea familiar to the Scots. When rouſed by any extraordinary event, or alarmed by any public danger, the

q Camd. 544. Johnſt. 139. Spotſw. 369.
r Dunlop's Collect. of Confeſſ. vol. ii. 108.

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people of Iſrael were accuſtomed to bind themſelves, by a ſolemn covenant, to adhere to that religion which the Almighty had eſtabliſhed among them; this the Scots conſidered as a ſacred precedent, which it became them to imitate. In that age no conſiderable enterpriſe was undertaken in Scotland, without a bond of mutual defence, which all concerned reckoned neceſſary for their ſecurity. The form of this religious confederacy is plainly borrowed from thoſe political ones, of which ſo many inſtances have occurred; the articles, ſtipulations, and peculiar modes of expreſſion, are exactly the ſame in both. Almoſt all the conſiderable Popiſh Princes were then joined in a league for extirpating the Reformed Religion, and nothing could be more natural, or ſeemed more efficacious, than to enter into a counter-aſſociation, in order to oppoſe the progreſs of that formidable conſpiracy. To theſe cauſes did the *Covenant*, which is become ſo famous in hiſtory, owe its origin. It was renewed at different times during the reign of James[s]. It was revived with great ſolemnity, though with conſiderable alterations, in the year one thouſand ſix hundred and thirty-eight. It was adopted by the Engliſh in the year one thouſand ſix hundred and forty-three, and enforced by the civil and eccleſiaſtical authority of both kingdoms. The political purpoſes to which it was then made ſubſervient, and the violent and unconſtitutional meaſures which it was then employed to promote, it is not our province to explain. But at the

[s] Cald. iv. 129.

juncture

juncture in which it was firſt introduced, we may pronounce it to have been a prudent and laudable device for the defence of the religion and liberties of the nation; nor were the terms in which it was conceived, other than might have been expected from men alarmed with the impending danger of Popery, and threatened with an invaſion by the moſt bigoted and moſt powerful Prince in Europe.

PHILIP's eagerneſs to conquer England did not inſpire him either with the vigour or diſpatch neceſſary to enſure the ſucceſs of ſo mighty an enterpriſe. His fleet, which ought to have ſailed in April, did not enter the Engliſh channel till the middle of July. It hovered many days on the coaſt, in expectation of being joined by the Prince of Parma, who was blocked up in the ports of Flanders by a Dutch ſquadron. Continual diſaſters purſued the Spaniards during that time; ſucceſſive ſtorms and battles, which are well known, conſpired with their own ill conduct to diſappoint their enterpriſe. And, by the bleſſing of Providence, which watched with remarkable care over the Proteſtant Religion and the liberties of Britain, the Engliſh valour ſcattered and deſtroyed the Armado, on which Philip had arrogantly beſtowed the name of Invincible. After being driven out of the Engliſh ſeas, their ſhattered ſhips were forced to ſteer their courſe towards Spain, round Scotland and Ireland. Many of them ſuffered ſhipwreck on theſe dangerous and unknown coaſts. Though James kept his ſubjects under arms, to watch the motions of the Spaniards, and to prevent their landing

The Armado defeated.

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1588. in an hoſtile manner, he received with great humanity ſeven hundred who were forced aſhore by a tempeſt, and after ſupplying them with neceſſaries, permitted them to return into their own country.

On the retreat of the Spaniards, Elizabeth ſent an ambaſſador to congratulate with James, and to compliment him on the firmneſs and generoſity he had diſcovered during a conjuncture ſo dangerous. But none of Aſhby's promiſes were any longer remembered; that Miniſter was even accuſed of having exceeded his powers, by his too liberal offers; and conſcious of his own falſehood, or aſhamed of being diſowned by his court, he withdrew ſecretly out of Scotland[t].

1589. Philip's intrigues in Scotland. Philip, convinced by fatal experience of his own raſhneſs in attempting the conqueſt of England, by a naval armament, equipped at ſo great a diſtance, and ſubjected, in all its operations, to the delays, and dangers, and uncertainties, ariſing from ſeas and winds, reſolved to make his attack in another form, and to adopt the plan which the Princes of Lorrain had long meditated, of invading England through Scotland. A body of his troops, he imagined, might be eaſily wafted over from the Low Countries to that kingdom, and if they could once obtain footing, or procure aſſiſtance there, the frontier of England was open and defenceleſs, and the northern counties full of Roman Catholics, who would receive them with open arms. Meanwhile, a deſcent might be threatened on the ſouthern coaſt, which would divide

[t] Johnſt. 134. Camd. 548. Murdin, 635. 788.

the

the Engliſh army, diſtract their councils, and throw the whole kingdom into terrible convulſions. In order to prepare the way for the execution of this deſign, he remitted a conſiderable ſum of money to Bruce, a ſeminary prieſt in Scotland, and employed him, together with Hay, Creighton, and Tyrie, Scottiſh Jeſuits, to gain over as many perſons of diſtinction as poſſible to his intereſt. Zeal for Popery, and the artful inſinuations of theſe emiſſaries, induced ſeveral noblemen to favour a meaſure which tended ſo manifeſtly to the deſtruction of their country. Huntly, though the King had lately given him in marriage the daughter of his favourite the Duke of Lennox, continued warmly attached to the Romiſh Church. Crawford and Errol were animated with the zeal of new converts. They all engaged in a correſpondence with the Prince of Parma, and, in their letters to him, offered their ſervice to the King of Spain, and undertook, with the aid of ſix thouſand men, to render him maſter of Scotland, and to bring ſo many of their vaſſals into the field, that he ſhould be able to enter England with a numerous army. Francis Stewart, grandſon of James V.[u], whom the King had created Earl of Bothwell, though influenced by no motive of religion, for he ſtill adhered to the Proteſtant faith, was prompted merely by caprice, and the reſtleſſneſs of his nature, to join in this treaſonable correſpondence.

Popiſh nobles conſpire againſt the King.

[u] He was the ſon of John Prior, of Coldingham, one of James's natural children.

All

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1589. Feb. 17.

All theſe letters were intercepted in England. Elizabeth, alarmed at the danger which threatened her own kingdom, ſent them immediately to the King, and reproaching him with his former lenity towards the Popiſh party, called upon him to check this formidable conſpiracy by a proper ſeverity. But James, though firmly attached to the Proteſtant religion, though profoundly verſed in the theological controverſies between the Reformers and the Church of Rome, though he had employed himſelf, at that early period of life, in writing a Commentary on the Revelations, in which he laboured to prove the Pope to be Antichriſt, had nevertheleſs adopted, already, thoſe maxims concerning the treatment of the Roman Catholics, to which he adhered through the reſt of his life. The Roman Catholics were at that time a powerful and active party in England; they were far from being an inconſiderable faction in his own kingdom. The Pope and King of Spain were ready to take part in all their machinations, and to ſecond every effort of their bigotry. The oppoſition of ſuch a body to his ſucceſſion to the Crown of England, added to the averſeneſs of the Engliſh from the government of ſtrangers, might create him many difficulties. In order to avoid theſe, he thought it neceſſary to ſooth, rather than to irritate the Roman Catholics, and to reconcile them to his ſucceſſion, by the hopes of gentler treatment, and ſome mitigation of the rigour of thoſe laws, which were now in force againſt them. This attempt to gain one party by promiſes of indulgence and acts of clemency, while

The King's maxims with regard to Popery.

while he adhered with all the obſtinacy of a diſputant to the doctrines and tenets of the other, has given an air of myſtery, and even of contradiction, to this part of the King's character. The Papiſts, with the credulity of a ſect ſtruggling to obtain power, believed his heart to be wholly theirs; and the Proteſtants, with the jealouſy inſeparable from thoſe who are already in poſſeſſion of power, viewed every act of lenity as a mark of indifference, or a ſymptom of apoſtacy. In order to pleaſe both, James often aimed at an exceſſive refinement, mingled with diſſimulation, in which he imagined the perfection of government and of king craft to conſiſt.

His behaviour on this occaſion was agreeable to theſe general maxims. Notwithſtanding the ſolicitations of the Queen of England, enforced by the zealous remonſtrances of his own Clergy, a ſhort impriſonment was the only puniſhment he inflicted upon Huntly and his aſſociates. But he ſoon had reaſon to repent an act of clemency ſo inconſiſtent with the dignity of government. The firſt uſe which the conſpirators made of their liberty, was to aſſemble their followers, and, under pretence of removing Chancellor Maitland, an able Miniſter, but warmly devoted to the Engliſh intereſt, from the King's councils and preſence, they attempted to ſeize James himſelf. This attempt being defeated, partly by Maitland's vigilance, and partly by their own ill-conduct, they were forced to retire to the North, where they openly erected the ſtandard of rebellion. But as the King's government was not

His exceſſive lenity to the conſpirators.

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generally unpopular, or his miniſters odious, their own vaſſals joined them ſlowly, and diſcovered no zeal in the cauſe. The King, in perſon, advancing againſt them with ſuch forces as he could ſuddenly levy, they durſt not rely ſo much on the fidelity of the troops, which, though ſuperior in number, followed them with reluctance, as to hazard a battle; but ſuffering them to diſperſe, they ſurrendered to the King, and threw themſelves on his mercy. Huntly, Errol, Crawford, and Bothwell, were all brought to a public trial. Repeated acts of treaſon were eaſily proved againſt them. The King, however, did not permit any ſentence to be pronounced; and, after keeping them a few months in confinement, he took occaſion, amidſt the public feſtivity and rejoicings at the approach of his marriage, to ſet them at liberty[x].

The King's marriage with Anne of Denmark.

As James was the only deſcendant of the ancient Monarchs of Scotland, in the direct line; as all hopes of uniting the crowns of the two kingdoms would have expired with him; as the Earl of Arran, the preſumptive heir to the throne, was lunatic; the King's marriage was, on all theſe accounts, an event which the nation wiſhed for with the utmoſt ardour. He himſelf was no leſs deſirous of accompliſhing it; and had made overtures, for that purpoſe, to the eldeſt daughter of Frederick II. King of Denmark. But Elizabeth, jealous of every thing that would render the acceſſion of the houſe of Stewart more acceptable to the Engliſh, endeavoured to perplex James,

[x] Spotſw. 373. Cald. iv. 103—130.

in the ſame manner ſhe had done Mary, and employed as many artifices to defeat or to retard his marriage. His miniſters, gained by bribes and promiſes, ſeconded her intention; and though ſeveral different ambaſſadors were ſent from Scotland to Denmark, they produced powers ſo limited, or inſiſted on conditions ſo extravagant, that Frederick could not believe the King to be in earneſt; and ſuſpecting that there was ſome deſign to deceive or amuſe him, gave his daughter in marriage to the Duke of Brunſwick. Not diſcouraged by this diſappointment, which he imputed entirely to the conduct of his own miniſters, James made addreſſes to the Princeſs Anne, Frederick's ſecond daughter. Though Elizabeth endeavoured to divert him from this, by recommending Catherine the King of Navarre's ſiſter, as a more advantageous match; though ſhe prevailed on the privy council of Scotland to declare againſt the alliance with Denmark, he perſiſted in his choice; and deſpairing of overcoming the obſtinacy of his own miniſters in any other manner, he ſecretly encouraged the citizens of Edinburgh to take arms. They threatened to tear in pieces the Chancellor, whom they accuſed as the perſon whoſe artifices had hitherto diſappointed the wiſhes of the King, and the expectations of his people. In conſequence of this, the Earl Mariſchal was ſent into Denmark at the head of a ſplendid embaſſy. He received ample powers and inſtructions, drawn with the King's own hand. The marriage articles were quickly agreed upon, and the young Queen ſet ſail towards Scotland.

1589.

James

BOOK VII.

1589. James made great preparations for her reception, and waited her landing with all the impatience of a lover; when the unwelcome account arrived, that a violent tempeſt had ariſen, which drove back her fleet to Norway, in a condition ſo ſhattered, that there was little hope of its putting again to ſea before the ſpring. This unexpected diſappointment he felt with the utmoſt ſenſibility. He inſtantly fitted out ſome ſhips, and, without communicating his intention to any of his council, ſailed in perſon, attended by the Chancellor, ſeveral noblemen, and a train of three hundred
Oct. 22. perſons, in queſt of his bride. He arrived ſafely in a ſmall harbour near Upſlo, where the Queen
Nov. 24. then reſided. There the marriage was ſolemnized, and as it would have been raſh to truſt thoſe boiſterous ſeas in the winter ſeaſon, James accepted the invitation of the court of Denmark, and repairing to Copenhagen, paſſed ſeveral months there, amidſt continual feaſting and amuſements, in which both the Queen and himſelf had great delight[y].

No event in the King's life appears to be a wider deviation from his general character, than this ſudden ſally. His ſon Charles I. was capable of that exceſſive admiration of the other ſex, which ariſes from great ſenſibility of heart, heightened by elegance of taſte; and the romantic air of his journey to Spain ſuited ſuch a diſpoſition. But James was not ſuſceptible of any refined gallantry, and always expreſſed that contempt for

[y] Melvil, 352. Spotſw. 377. Murdin, 637.

the

the female character which a pedantic erudition, unacquainted with politeneſs, is apt to inſpire. He was exaſperated, however, and rendered impatient by the many obſtacles which had been laid in his way. He was anxious to ſecure the political advantages which he expected from marriage; and fearing that a delay might afford Elizabeth, and his own miniſters, an opportunity of thwarting him by new intrigues, he ſuddenly took the reſolution of preventing them, by a voyage from which he expected to return in a few weeks. The nation ſeemed to applaud his conduct, and to be pleaſed with this appearance of amorous ardour in a young Prince. Notwithſtanding his abſence ſo long beyond the time he expected, the nobles, the clergy and the people vied with one another in loyalty and obedience; and no period in the King's reign was more remarkable for tranquillity, or more free from any eruption of thoſe factions, which ſo often diſturbed the kingdom.

THE HISTORY OF SCOTLAND.

BOOK VIII.

BOOK VIII.

1590. The King and Queen arrive in Scotland.

ON the first of May the King and Queen arrived at Leith, and were received by their subjects with every possible expression of joy. The solemnity of the Queen's coronation was conducted with great magnificence; but so low had the order of Bishops fallen in the opinion of the public, that none of them were present on that occasion, and Mr. Robert Bruce, a Presbyterian Minister of great reputation, set the Crown on her head, administered the sacred unction, and performed the other customary ceremonies.

THE zeal and success with which many of the clergy had contributed towards preserving peace and order in the kingdom, during his absence, reconciled James, in a great degree, to their persons, and even to the Presbyterian form of go-

August 4 vernment. In presence of an assembly, which met

met this year, he made high encomiums on the discipline as well as the doctrine of the church, promised to adhere inviolably to both, and permitted the assembly to frame such acts as gradually abolished all the remains of episcopal jurisdiction, and paved the way for a full and legal establishment of the Presbyterian model[a]. 1590.

An event happened soon after, which afforded the Clergy no small triumph. Archbishop Adamson, their ancient opponent, having fallen under the King's displeasure, having been deprived of the revenues of his see in consequence of the act of annexation, and being oppressed with age, with poverty, and diseases, made the meanest submission to the Clergy, and delivered to the assembly a formal recantation of all his opinions concerning Church government, which had been matter of offence to the Presbyterians. Such a confession, from the most learned person of the Episcopal order, was considered as a testimony which the force of truth had extorted from an adversary[b]. 1591.

Meanwhile, the King's excessive clemency towards offenders multiplied crimes of all kinds, and encouraged such acts of violence, as brought his government under contempt, and proved fatal to many of his subjects. The history of several years, about this time, is filled with accounts of the deadly quarrels between the great families, and of murders and assassinations perpetrated in the most audacious manner, and with circumstances of the utmost barbarity. All the defects Disorders in the kingdom.

[a] Cald. iv. 204. [b] Spotsw. 385. Cald. iv. 214.

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in the feudal ariſtocracy were now felt more ſenſibly, perhaps, than at any other period in the hiſtory of Scotland, and univerſal licence and anarchy prevailed to a degree ſcarce conſiſtent with the preſervation of ſociety. While the King, too gentle to puniſh, or too feeble to act with vigour, ſuffered all theſe enormities to paſs with impunity.

An attempt of Bothwell's againſt the King.

But though James connived at real crimes, witchcraft, which is commonly an imaginary one, engroſſed his attention, and thoſe ſuſpected of it felt the whole weight of his authority. Many perſons, neither extremely old nor wretchedly poor, which were uſually held to be certain indications of this crime, but maſters of families, and matrons of a decent rank, and in the middle age of life, were ſeized and tortured. Though their confeſſions contained the moſt abſurd and incredible circumſtances, the King's prejudices, thoſe of the clergy and of the people, conſpired in believing their extravagancies, without heſitation, and in puniſhing their perſons without mercy. Some of theſe unhappy ſufferers accuſed Bothwell of having conſulted them, in order to know the time of the King's death, and of having employed their art, to raiſe the ſtorms which had endangered the Queen's life, and had detained James ſo long in Denmark. Upon this evidence, that nobleman was committed to priſon. His turbulent and haughty ſpirit could neither ſubmit to the reſtraint, nor brook ſuch an indignity. Having gained his keepers, he made his eſcape, and imputing the accuſation to the artifices of his enemy, the

the Chancellor, he assembled his followers, under pretence of driving him from the King's councils. Being favoured by some of the King's attendants, he was admitted by a secret passage, under cloud of night, into the court of the palace of Holy-rood-house. He advanced directly towards the royal apartment, but happily, before he entered, the alarm was taken, and the doors shut. While he attempted to burst open some of them, and to set fire to others, the citizens of Edinburgh had time to run to their arms, and he escaped with the utmost difficulty; owing his safety to the darkness of the night, and the precipitancy with which he fled[c]. 1591. D.c. 27.

He retired towards the north, and the King having unadvisedly given a commission to the Earl of Huntly, to pursue him and his followers, with fire and sword, he, under colour of executing that commission, gratified his private revenge, and surrounded the house of the Earl of Murray, burnt it to the ground, and slew Murray himself. The murder of a young nobleman of such promising virtues, and the heir of the Regent Murray, the darling of the people, excited universal indignation. The citizens of Edinburgh rose in a tumultuous manner; and though they were restrained, by the care of the magistrates, from any act of violence, they threw aside all respect for the King and his ministers, and openly insulted and threatened both. While this mutinous spirit continued, James thought it prudent to withdraw 1592. Feb. 8.

[c] Melv. 388. Spotsw. 386.

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from the city, and fixed his reſidence for ſome time at Glaſgow. There Huntly ſurrendered himſelf to juſtice; and, notwithſtanding the attrociouſneſs of his crime, and the clamours of the people, the power of the Chancellor, with whom he was now cloſely confederated, and the King's regard for the memory of the Duke of Lennox, whoſe daughter he had married, not only protected him from the ſentence which ſuch an odious action merited, but exempted him even from the formality of a public trial[d].

Preſbyterian Church government eſtabliſhed by law.

A STEP of much importance was taken, ſoon after, with regard to the government of the church. The Clergy had long complained of the encroachments made upon their privileges and juriſdiction by the acts of the parliament one thouſand five hundred and eighty-four, and though theſe laws had now loſt much of their force, they reſolved to petition the parliament, which was approaching, to repeal them in form. The juncture for puſhing ſuch a meaſure was well choſen. The King had loſt much of the public favour by his lenity towards the Popiſh faction, and ſtill more by his remiſſneſs in purſuing the murderers of the Earl of Murray. The Chancellor had not only a powerful party of the courtiers combined againſt him, but was become odious to the people, who imputed to him every falſe ſtep in the King's conduct. Bothwell ſtill lurked in the kingdom, and being ſecretly ſupported by all the enemies of Maitland's admini-

[d] Spotſw. 387.

ſtration,

ſtration, was ready, every moment, to renew his audacious enterpriſes. James, for all theſe reaſons, was extremely willing to indulge the Clergy in their requeſt, and not only conſented to a law, whereby the acts of one thouſand five hundred and eighty-four were reſcinded or explained, but he carried his complaiſance ſtill further, and permitted the Parliament to eſtabliſh the Preſbyterian government, its General Aſſemblies, Provincial ſynods, Preſbyteries, and Kirk ſeſſions, with all the different branches of their diſcipline and juriſdiction, in the moſt ample manner. All the zeal and authority of the Clergy, even under the adminiſtration of Regents, from whom they might have expected the moſt partial favour, could not obtain the ſanction of law, in confirmation of their mode of Eccleſiaſtical government. No Prince was ever leſs diſpoſed than James to approve a ſyſtem, whoſe republican genius inſpired a paſſion for liberty, ſo repugnant to his exalted notions of royal prerogative. Nor could any averſion be more inveterate than his, to the auſtere and uncomplying character of the Preſbyterian Clergy in that age; who, more eminent for zeal than for policy, often contradicted his opinions, and cenſured his conduct, with a freedom equally offenſive to his dogmatiſm as a Theologian, and to his pride as a King. His ſituation, however, obliged him frequently to conceal, or to diſſemble his ſentiments; and as he often diſguſted his ſubjects, by indulging the Popiſh faction more than they approved, he endeavoured to atone for this by conceſſions to the Preſbyterian Clergy,

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more liberal than he himſelf would otherwiſe have choſen to grant[e].

In this Parliament, Bothwell and all his adherents were attainted. But he ſoon made a new attempt to ſeize the King at Falkland; and James, betrayed by ſome of his courtiers, and feebly defended by others, who wiſhed well to Bothwell, as the Chancellor's avowed enemy, owed his ſafety to the fidelity and vigilance of Sir Robert Melvil, and to the irreſolution of Bothwell's aſſociates[f].

A new conſpiracy of the Popiſh Lords.

Scarcely was this danger over, when the nation was alarmed with the diſcovery of a new and more formidable conſpiracy. George Ker, the Lord Newbattle's brother, being ſeized as he was ready to ſet ſail for Spain, many ſuſpicious papers were found in his cuſtody, and among theſe, ſeveral blanks ſigned by the Earls of Angus, Huntly, and Errol. By this extraordinary precaution they hoped to eſcape any danger of diſcovery. But Ker's reſolution ſhrinking when torture was threatened, he confeſſed that he was employed by theſe noblemen, to carry on a negotiation with the King of Spain; that the blanks ſubſcribed with their names were to be filled up by Crichton and Tyrie; that they were inſtructed to offer the faithful ſervice of the three Earls to that Monarch; and to ſolicit him to land a body of his troops, either in Galloway, or at the mouth of Clyde, with which they undertook, in the firſt place, to eſtabliſh the Roman Catholic Religion

[e] Cald. iv. 248. 252. Spotſw. 388. [f] Melv. 402.

in

in Scotland, and then to invade England with the whole forces of the kingdom. David Graham of Fintry, and Barclay of Ladyland, whom he accuſed of being privy to the conſpiracy, were taken into cuſtody, and confirmed all the circumſtances of his confeſſion[g]. 1592.

1593. Zeal of the people,

THE nation having been kept for ſome time in continual terror and agitation by ſo many ſucceſſive conſpiracies, the diſcovery of this new danger completed the panic. All ranks of men, as if the enemy had already been at their gates, thought themſelves called upon to ſtand forth in defence of their country. The Miniſters of Edinburgh, without waiting for any warrant from the King, who happened at that time to be abſent from the capital, and without having received any legal commiſſion, aſſembled a conſiderable number of Peers and Barons, in order to provide an inſtant remedy againſt the impending danger. They ſeized the Earl of Angus, and committed him to the caſtle; they examined Ker; and prepared a remonſtrance to be laid before the King, concerning the ſtate of the nation; and the neceſſity of proſecuting the conſpirators with becoming vigour. James, though jealous of every encroachment on his prerogative, and offended with ſubjects, who, inſtead of petitioning, ſeemed to preſcribe to him, found it neceſſary, during the violence of the ferment, not only to adopt their plan, but even to declare that no conſideration ſhould ever induce him to pardon thoſe who had been

and proceedings of the King againſt them.

[g] Rymer, xvi. 190.

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guilty of so odious a treason. He summoned the Earls of Huntly and Errol to surrender themselves to justice. Graham of Fintry, whom his peers pronounced to be guilty of treason, he commanded to be publicly beheaded; and marching into the North at the head of an army, the two Earls, together with Angus, who had escaped out of prison, retired to the mountains. He placed garrisons in the castles which belonged to them; compelled their vassals, and the Barons in the adjacent counties, to subscribe a bond containing professions of their loyalty towards him, and of their firm adherence to the Protestant faith; and, the better to secure the tranquillity of that part of the kingdom, constituted the Earls of Athol and Marischal his Lieutenants there[h].

1593. Jan. 8.

March 18. Elizabeth solicits him to treat them with rigour.

HAVING finished this expedition, James returned to Edinburgh, where he found Lord Borrough, an extraordinary ambassador from the court of England. Elizabeth, alarmed at the discovery of a conspiracy which she considered as no less formidable to her own kingdom than to Scotland, reproached James with his former remissness, and urged him, as he regarded the preservation of the Protestant religion, or the dignity of his own Crown, to punish this repeated treason with rigour; and if he could not apprehend the persons, at least to confiscate the estates, of such audacious rebels. She weakened however the force of these requests, by interceding at the same time in behalf of Bothwell, whom, according to

[h] Spotsw. 301. Cald. iv. 291.

her

her usual policy in nourishing a factious spirit among the Scottish nobles, she had taken under her protection. James absolutely refused to listen to any intercession in favour of one who had so often, and with so much outrage, insulted both his government and his person. With regard to the Popish conspirators, he declared his resolution to prosecute them with vigour; but that he might be the better able to do so, he demanded a small sum of money from Elizabeth, which she, distrustful perhaps of the manner in which he might apply it, shewed no inclination to grant. The zeal, however, and importunity of his own subjects obliged him to call a Parliament, in order to pass an act of attainder against the three Earls. But before it met, Ker made his escape out of prison, and, on pretence that legal evidence of their guilt could not be produced, nothing was concluded against them. The King himself was universally suspected of having contrived this artifice, on purpose to elude the requests of the Queen of England, and to disappoint the wishes of his own people; and therefore, in order to sooth the Clergy, who exclaimed loudly against his conduct, he gave way to the passing of an act, which ordained those who obstinately contemned the censures of the Church to be declared out-laws[1].

BOOK VIII. 1593.

While the terror excited by the Popish conspiracy possessed the nation, the court had been divided by two rival factions, which contended for the chief direction of affairs. At the head of

Bothwell surprises the King.

[1] Cald. iv. 343. Spotsw. 393. Parl. 13 Jac. VI. c. 164.

one,

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1593. one, was the Chancellor, in whom the King repoſed entire confidence. For that very reaſon, perhaps, he had fallen early under the Queen's diſpleaſure. The Duke of Lennox, the Earl of Athol, Lord Ochiltree, and all the name of Stewart eſpouſed her quarrel, and widened the breach. James, fond no leſs of domeſtic tranquillity, than of public peace, adviſed his favourite to retire, for ſome time, in hopes that the Queen's reſentment would ſubſide. But as he ſtood in need, in the preſent juncture, of the aſſiſtance of an able Miniſter, he had recalled him to court. In order to prevent him from recovering his former power, the Stewarts had recourſe to an expedient no leſs illegal than deſperate. Having combined with Bothwell, who was of the ſame

July 24. ſurname, they brought him back ſecretly into Scotland; and ſeizing the gates of the palace, introduced him into the royal apartment with a numerous train of armed followers. James, though deſerted by all his courtiers, and incapable of reſiſtance, diſcovered more indignation than fear, and reproaching them for their treachery, called on the Earl to finiſh his treaſons, by piercing his Sovereign to the heart. But Bothwell fell on his knees, and implored pardon. The King was not in a condition to refuſe his demands. A few days after he ſigned a capitulation with this ſucceſsful traitor, to whom he was really a priſoner, whereby he bound himſelf to grant him a remiſſion for all paſt offences, and to procure the ratification of it in Parliament; and in the mean time to diſmiſs the Chancellor, the maſter of Glamis,

mis, Lord Home, and Sir George Home, from his councils and preſence. Bothwell, on his part, conſented to remove from court, though he left there as many of his aſſociates as he thought ſufficient to prevent the return of the adverſe faction. 1593.

He recovers his liberty. Sept. 7.

But it was now no eaſy matter to keep the King under the ſame kind of bondage, to which he had been often ſubject during his minority. He diſcovered ſo much impatience to ſhake off his fetters, that thoſe who had impoſed, durſt not continue, the reſtraint. They permitted him to call a Convention of the nobles at Stirling, and to repair thither himſelf. All Bothwell's enemies, and all who were deſirous of gaining the King's favour by appearing to be ſo, obeyed the ſummons. They pronounced the inſult offered to the King's perſon and authority to be high treaſon, and declared him abſolved from any obligation to obſerve conditions extorted by force, and which violated ſo eſſentially his royal prerogative. James, however, ſtill proffered him a pardon, provided he would ſue for it as an act of mercy, and promiſe to retire out of the kingdom. Theſe conditions Bothwell rejected with diſdain, and betaking himſelf once more to arms, attempted to ſurpriſe the King; but finding him on his guard, fled to the borders[k].

Suſpected of favouring the Popiſh Lords.

The King's ardour againſt Bothwell, compared with his ſlow and evaſive proceedings againſt the Popiſh Lords, occaſioned a general diſguſt among his ſubjects; and was imputed either to an ex-

[k] Cald. iv. 326. Spotſw. 395.

ceſſive

BOOK VIII. 1593. Sept. 25.

ceſſive attachment to the perſons of thoſe conſpirators, or to a ſecret partiality towards their opinions; both which gave riſe to no unreaſonable fears. The Clergy, as the immediate guardians of the Proteſtant Religion, thought themſelves bound, in ſuch a juncture, to take extraordinary ſteps for its preſervation. The provincial ſynod of Fife happening to meet at that time, a motion was made to excommunicate all concerned in the late conſpiracy, as obſtinate and irreclaimable Papiſts; and though none of the conſpirators reſided within the bounds of the ſynod, or were ſubject to its juriſdiction, ſuch was the zeal of the members, that, overlooking this irregularity, they pronounced againſt them the ſentence of excommunication, to which the act of laſt parliament added new terrors. Leſt this ſhould be imputed to a few men, and accounted the act of a ſmall part of the church, deputies were appointed to attend the adjacent ſynods, and to deſire their approbation and concurrence.

His lenity towards them. Oct. 17.

An event happened, a few weeks after, which increaſed the people's ſuſpicions of the King. As he was marching on an expedition againſt the borderers, the three Popiſh Earls coming ſuddenly into his preſence, offered to ſubmit themſelves to a legal trial; and James, without committing them to cuſtody, appointed a day for that purpoſe. They prepared to appear with a formidable train of their friends and vaſſals. But, in the mean time, the Clergy, together with many Peers and Barons, aſſembling at Edinburgh, remonſtrated againſt the King's extreme indulgence with great boldneſs,

boldneſs, and demanded of him, according to the regular courſe of juſtice, to commit to ſure cuſtody perſons charged with the higheſt acts of treaſon, who could not be brought to a legal trial, until they were abſolved from the cenſures of the Church; and to call a Convention of eſtates, to deliberate concerning the method of proceeding againſt them. At the ſame time they offered to accompany him in arms to the place of trial, leſt ſuch audacious and powerful criminals ſhould overawe juſtice, and dictate to the judges to whom they pretended to ſubmit. James, though extremely offended both with the irregularity of their proceedings, and the preſumption of their demands, found it expedient to put off the day of trial, and to call a Convention of eſtates, in order to quiet the fears and jealouſies of the people. By being humoured in this point, their ſuſpicions began gradually to abate, and the Chancellor managed the Convention ſo artfully, that he himſelf, together with a few other members, was impowered to pronounce a final ſentence upon the conſpirators. After much deliberation, they ordained, that the three Earls, and their aſſociates, ſhould be exempted from all further inquiry or proſecution, on account of their correſpondence with Spain; that, before the firſt day of February, they ſhould either ſubmit to the Church, and publicly renounce the errors of Popery, or remove out of the kingdom; that, before the firſt of January, they ſhould declare which of theſe alternatives they would embrace; that they ſhould find ſurety for their peaceable demeanor for the future; and that if they failed to

1593.

Nov. 26.

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1593. signify their choice in due time, they ſhould loſe the benefit of this act of *abolition*, and remain expoſed to all the pains of law[1].

1594. By this lenity towards the conſpirators, James incurred much reproach, and gained no advantage. Devoted to the Popiſh ſuperſtition, ſubmiſſive to all the dictates of their prieſts, and buoyed up with hopes and promiſes of foreign aid, the three Earls refuſed to accept of the conditions, and continued their treaſonable correſpondence with

Jan. 18. the court of Spain. A Convention of eſtates pronounced them to have forfeited the benefit of the articles which were offered; and the King required them, by proclamation, to ſurrender themſelves to juſtice. The preſence of the Engliſh ambaſſador contributed, perhaps, to the vigour of theſe proceedings. Elizabeth, ever attentive to James's motions, and imputing his reluctance to puniſh the Popiſh Lords to a ſecret approbation of their deſigns, had ſent Lord Zouche to repreſent, once more, the danger to which he expoſed himſelf, by this falſe moderation; and to require him to exerciſe that rigour, which their crimes, as well as the poſture of affairs, rendered neceſſary. Though the ſteps now taken by the King ſilenced all complaints on that head, yet Zouche, forgetful of his character as an ambaſſador, entered into private negotiations with ſuch of the Scottiſh nobles as diſapproved of the King's meaſures, and held almoſt an open correſpondence with Bothwell, who, according to the uſual arti-

[1] Cald. iv. 330. Spotſw. 397.

fice

fice of malecontents, pretended much ſolicitude for reforming the diſorders of the commonwealth; and covered his own ambition with the ſpecious veil of zeal againſt thoſe Counſellors who reſtrained the King from purſuing the avowed enemies of the Proteſtant faith. Zouche encouraged him, in the name of his Miſtreſs, to take arms againſt his Sovereign. 1594.

A new attempt of Bothwell's.

MEANWHILE, the King and the Clergy were filled with mutual diſtruſt of each other. They were jealous, perhaps, to exceſs, that James's affections leaned too much towards the Popiſh faction; he ſuſpected them, without good reaſon, of prompting Bothwell to rebellion, and even of ſupplying him with money for that purpoſe. Little inſtigation, indeed, was wanting to rouſe ſuch a turbulent ſpirit as Bothwell's, to any daring enterpriſe. He appeared ſuddenly within a mile of Edinburgh, at the head of four hundred horſe. The pretences, by which he endeavoured to juſtify this inſurrection, were extremely popular; zeal for religion, enmity to Popery, concern for the King's honour, and for the liberties of the nation. James was totally unprovided for his own defence; he had no infantry, and was accompanied only with a few horſemen of Lord Home's train. In this extremity, he implored the aid of the citizens of Edinburgh, and, in order to encourage them to act with zeal, he promiſed to proceed againſt the Popiſh Lords with the utmoſt rigour of law. Animated by their Miniſters, the citizens ran cheerfully to their arms, and advanced, with the King at their head, againſt

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Bothwell; but he, notwithſtanding his ſucceſs in putting to flight Lord Home, who had raſhly charged him with a far inferior number of cavalry, retired to Dalkeith without daring to attack the King. His followers abandoned him ſoon after, and, diſcouraged by ſo many ſucceſſive diſappointments, could never afterwards be brought to venture into the field. He betook himſelf to his uſual lurking-places in the North of England; but Elizabeth, in compliance with the King's remonſtrances, obliged him to quit that retreat[m].

Freſh dangers from the Popiſh Lords. Apr. 3.

No ſooner was the King delivered from one danger, than he was called to attend to another. The Popiſh Lords, in conſequence of their negotiations with Spain, received, in the ſpring, a ſupply of money from Philip. What bold deſigns this might inſpire, it was no eaſy matter to conjecture. From men under the dominion of bigotry, and whom indulgence could not reclaim, the moſt deſperate actions were to be dreaded. The aſſembly of the Church immediately took the alarm; remonſtrated againſt them with more bitterneſs than ever; and unanimouſly ratified the ſentence of excommunication pronounced by the ſynod of Fife. James himſelf, provoked by their obſtinacy and ingratitude, and afraid that his long forbearance would not only be generally diſpleaſing to his own ſubjects, but give riſe to unfavourable ſuſpicions among the Engliſh, exerted himſelf with unuſual vigour. He called a Parliament;

June 8.

[m] Spotſw. 403. Cald. iv. 359.

laid

laid before it all the circumſtances and aggravations of the conſpiracy; and though there were but few members preſent, and ſeveral of theſe connected with the conſpirators by blood or friendſhip, he prevailed on them, by his influence and importunity, to pronounce the moſt rigorous ſentence which the law can inflict. They were declared to be guilty of high treaſon, and their eſtates and honours forfeited. At the ſame time, ſtatutes, more ſevere than ever, were enacted againſt the profeſſors of the Popiſh religion.

Battle of Glenlivat.

How to put this ſentence in execution, was a matter of great difficulty. Three powerful Barons, cantoned in a part of the country of difficult acceſs, ſurrounded with numerous vaſſals, and ſupported by aid from a foreign Prince, were more than an overmatch for a Scottiſh Monarch. No intreaty could prevail on Elizabeth to advance the money, neceſſary for defraying the expences of an expedition againſt them. To attack them in perſon, with his own forces alone, might expoſe him both to diſgrace and to danger. He had recourſe to the only expedient which remained in ſuch a ſituation, for aiding the impotence of Sovereign authority; he delegated his authority to the Earl of Argyll and Lord Forbes, the leaders of two clans at enmity with the conſpirators; and gave them a commiſſion to invade their lands, and to ſeize the caſtles which belonged to them. Bothwell, notwithſtanding all his high pretenſions of zeal for the Proteſtant religion, having now entered into a cloſe confederacy with them, the danger became every day more urging. Argyll,

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1594. solicited by the King, and roused by the Clergy, took the field at the head of seven thousand men. Huntly and Errol met him at Glenlivat, with an army far inferior in number, but composed chiefly of gentlemen of the low countries, mounted on horseback, and who brought along with them a Oct. 3. train of field-pieces. They encountered each other with all the fury which hereditary enmity and ancient rivalship add to undisciplined courage.

1595. But the Highlanders, disconcerted by the first discharge of the cannon, to which they were little accustomed, and unable to resist the impression of cavalry, were soon put to flight; and Argyll, a gallant young man of eighteen, was carried by his friends out of the field, weeping with indignation at their disgrace, and calling on them to stand, and to vindicate the honour of their name[n].

On the first intelligence of this defeat, James, though obliged to pawn his jewels in order to raise money[o], assembled a small body of troops, and marched towards the North. He was joined by the Irvines, Keiths, Leslys, Forbeses, and other clans at enmity with Huntly and Errol, who having lost several of their principal followers at Glenlivat, and others refusing to bear arms against the King in person, were obliged to retire to the mountains. James wasted their lands; put garrisons in some of their castles; burnt others; and left the Duke of Lennox as his Lieutenant in that part of the kingdom, with a body of men sufficient to restrain them from gathering to any head there, or

[n] Cald. iv. 408. [o] Birch, Mem. i. 186.

from

1595.

from infesting the low country. Reduced at last to extreme distress by the rigour of the season, and the desertion of their followers, they obtained the King's permission to go beyond seas, and gave security that they should neither return without his licence, nor engage in any new intrigues against the Protestant religion, or the peace of the kingdom[p].

Popish Lords driven out of the kingdom.

By their exile, tranquillity was re-established in the North of Scotland; and the firmness and vigour which James had displayed in his last proceedings against them, regained him, in a great degree, the confidence of his Protestant subjects. But he sunk, in the same proportion, and for the same reason, in the esteem of the Roman Catholics. They had asserted his mother's right to the Crown of England with so much warmth, that they could not, with any decency, reject his; and the indulgence, with which he affected to treat the professors of that religion, inspired them with such hopes, that they viewed his accession to the throne as no undesirable event. But the rigour with which the King had lately pursued the conspirators, and the severe statutes against Popery to which he had given his consent, convinced them that these hopes were visionary; and they began to look about in quest of some new successor, whose rights they might oppose to his. The Papists who resided in England turned their eyes towards the Earl of Essex, whose generous mind, though firmly established in the Protestant faith,

The Roman Catholics incensed against James.

[p] Spotsw. 404. Cald. 373, &c.

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abhorred the severities inflicted in that age on account of religious opinions. Those of the same sect, who were in exile, formed a bolder scheme, and one more suitable to their situation. They advanced the claim of the Infanta of Spain; and Parsons the Jesuit published a book, in which, by false quotations from history, by fabulous genealogies, and absurd arguments, intermingled with bitter invectives against the King of Scots, he endeavoured to prove the Infanta's title to the English Crown to be preferable to his. Philip, though involved already in a war both with France and England, and scarce able to defend the remains of the Burgundian provinces against the Dutch commonwealth, eagerly grasped at this airy project. The dread of a Spanish Pretender to the Crown, and the opposition which the Papists began to form against the King's succession, contributed not a little to remove the prejudices of the Protestants, and to prepare the way for that event.

Bothwell forced to fly into Spain.

BOTHWELL, whose name has been so often mentioned as the disturber of the King's tranquillity and of the peace of the kingdom, was now in a wretched condition. Abandoned by the Queen of England, on account of his confederacy with the Popish Lords; excommunicated by the Church for the same reason; and deserted, in his distress, by his own followers; he was obliged to fly for safety to France, and thence to Spain and Italy, where, after renouncing the Protestant faith, he led many years an obscure and indigent life, remarkable only for a low and infamous debauchery. The King, though extremely ready to sacrifice the strongest resentment

sentment to the slightest acknowledgments, could never be softened by his submission, nor be induced to listen to any intercession in his behalf[q]. 1595.

This year the King lost Chancellor Maitland, an able Minister, on whom he had long devolved the whole weight of public affairs. As James loved him while alive, he wrote, in honour of his memory, a copy of verses, which, when compared with the compositions of that age, are far from being inelegant[r].

A change in the administration.

Soon after his death, a considerable change was made in the administration. At that time, the annual charges of government far exceeded the King's revenues. The Queen was fond of expensive amusements. James himself was a stranger to œconomy. It became necessary, for all these reasons, to levy the public revenues with greater order and rigour, and to husband them with more care. This important trust was committed to eight gentlemen of the law[s], who, from their number, were called *Octavians*. The powers vested in them were ample, and almost unlimited. The King bound himself neither to add to their number, nor to supply any vacancy that might happen, without their consent: And knowing the facility of his own temper, agreed that no alienation of his revenue, no grant of a

[q] Winw. Mem. i. Spotsw. 410. [r] Id. 411.

[s] Alexander Seaton President of the Session, Walter Stewart Commendator of Blantyre Lord Privy Seal, David Carnegy, John Lindsay, James Elphingston, Thomas Hamilton, John Skene Clerk Register, and Peter Young Elemosynar.

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1595. pension, or order on the treasury, should be held valid, unless it were ratified by the subscription of five of the commissioners; all their acts and decisions were declared to be of equal force with the sentence of judges in civil courts; and in consequence of them, and without any other warrant, any person might be arrested, or their goods seized. Such extensive jurisdiction, together with the absolute disposal of the public money, drew the whole executive part of the government into their hands. United among themselves, they gradually undermined the rest of the King's Ministers, and seized on every lucrative or honourable office. The ancient servants of the Crown repined at being obliged to quit their

1596. stations to new men. The favourites and young courtiers murmured at seeing the King's liberality stinted by their prescriptions. And the Clergy exclaimed against some of them as known apostates to Popery, and suspected others of secretly favouring it. They retained their power, however, notwithstanding this general combination against them; and they owed it entirely to the order and œconomy which they introduced into the administration of the finances, by which the necessary expences of government were more easily defrayed than in any other period of the King's reign[t].

Violence of the nation against the Popish Lords.

The rumour of vast preparations which Philip was said to be carrying on at this time, filled both England and Scotland with the dread of a new invasion. James took proper measures for the de-

[t] Spotsw. 413. 435.

fence

fence of his kingdom. But these did not satisfy the zeal of the Clergy, whose suspicions of the King's sincerity began to revive; and as he had permitted the wives of the banished Peers to levy the rents of their estates, and to live in their houses, they charged him with rendering the act of forfeiture ineffectual, by supporting the avowed enemies of the Protestant faith. The assembly of the Church took under consideration the state of the kingdom, and having appointed a day of public fasting, they solemnly renewed the Covenant, by which the nation was bound to adhere to the Protestant faith, and to defend it against all aggressors. A committee, consisting of the most eminent Clergymen, and of many Barons and gentlemen of distinction, waited on the King, and laid before him a plan for the security of the kingdom, and the preservation of religion. They urged him to appropriate the estates of the banished Lords as a fund for the maintenance of soldiers; to take the strictest precautions for preventing the return of such turbulent subjects into the country; and to pursue all who were suspected of being their adherents with the utmost rigour.

March 24.

The King's remissness with regard to them.

Nothing could be more repugnant to the King's schemes, or more disagreeable to his inclination, than these propositions. Averse, through his whole life, to any course where he expected opposition or danger; and fond of attaining his ends with the character of moderation, and by the arts of policy, he observed with concern the prejudices against him which were growing among the Roman Catholics, and resolved to make some

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atonement for that part of his conduct which had drawn upon him their indignation. Elizabeth was now well advanced in years; her life had lately been in danger; if any Popiſh competitor ſhould ariſe to diſpute his right of ſucceſſion, a faction ſo powerful as that of the baniſhed Lords might be extremely formidable; and any diviſion among his own ſubjects might prove fatal at a juncture which would require their united and moſt vigorous efforts. Inſtead, therefore, of the additional ſeverities which the Aſſembly propoſed, James had thoughts of mitigating the puniſhment which they already ſuffered. And as they were ſurrounded, during their reſidence in foreign parts, by Philip's emiſſaries; as reſentment might diſpoſe them to liſten more favourably than ever to their ſuggeſtions; as deſpair might drive them to ſtill more atrocious actions; he reſolved to recall them, under certain conditions, into their native country. Encouraged by theſe ſentiments of the King in their favour, of which they did not want intelligence, and wearied already of the dependant and anxious life of exiles, they ventured to return ſecretly into Scotland. Soon after, they preſented a petition to the King, begging his permiſſion to reſide at their own houſes, and offering to give ſecurity for their peaceable and dutiful behaviour. James called a Convention of eſtates to deliberate on a matter of ſuch importance, and by their advice he granted the petition.

The raſh proceedings of the Clergy and people.

As ſoon as they were informed of this, the members of a committee, appointed by the laſt General Aſſembly, met at Edinburgh, and with all

all the precipitancy of fear, and of zeal, took such resolutions as they thought necessary for the safety of the kingdom. They wrote circular letters to all the Presbyteries in Scotland; they warned them of the approaching danger; they exhorted them to stir up their people to the defence of their just rights; they commanded them to publish, in all their pulpits, the act excommunicating the Popish Lords; and enjoined them to lay all those who were suspected of favouring Popery under the same censure by a summary sentence, and without observing the usual formalities of trial. As the danger seemed too pressing to wait for the stated meetings of the judicatories of the Church, they made choice of the most eminent Clergymen in different corners of the kingdom, apointed them to reside constantly at Edinburgh, and to meet every day with the Ministers of that city, under the name of the *Standing Council of the Church*, and vested in this body the supreme authority, by enjoining it, in imitation of the ancient Roman form, to take care that the Church should receive no detriment. 1596.

These proceedings, no less unconstitutional than unprecedented, were manifest encroachments on the royal prerogative, and bold steps towards open rebellion. The King's conduct, however, justified in some degree such excesses. His lenity towards the Papists, so repugnant to the principles of that age; his pardoning the conspirators, notwithstanding repeated promises to the contrary; the respect he paid to Lady Huntly, who was attached to the Romish religion no less than her husband;

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husband; his committing the care of his daughter, the Princess Elizabeth, to Lady Levingston, who was infected with the same superstition; the contempt with which he talked, on all occasions, both of the character of Ministers, and of their function; were circumstances which might have filled minds, not prone by nature to jealousy, with some suspicions; and might have precipitated into rash councils those who were far removed from intemperate zeal. But, however powerful the motives might be which influenced the Clergy, or however laudable the end they had in view, they conducted their measures with no address, and even with little prudence. James discovered a strong inclination to avoid a rupture with the Church, and, jealous as he was of his prerogative, would willingly have made many concessions for the sake of peace. By his command, some of the Privy Counsellors had an interview with the more moderate among the Clergy, and inquired whether Huntly and his associates might not, upon making proper acknowledgments, be again received into the bosom of the Church, and be exempted from any further punishment on account of their past apostacy and treasons. They replied, that though the gate of mercy stood always open for those who repented and returned, yet as these noblemen had been guilty of idolatry, a crime deserving death both by the law of God and of man, the civil magistrate could not legally grant them a pardon; and even though the Church should absolve them, it was his duty to inflict punishment upon them. This inflexibility in those who

who were reckoned the moſt compliant of the order, filled the King with indignation, which the imprudence and obſtinacy of a private Clergyman heightened into rage.

Seditious doctrine taught by Black.

Mr. David Black, Miniſter at St. Andrew's, diſcourſing in one of his ſermons, according to cuſtom, concerning the ſtate of the nation, affirmed that the King had permitted the Popiſh Lords to return into Scotland, and by that action had diſcovered the treachery of his own heart; that all Kings were the Devil's children; that Satan had now the guidance of the court; that the Queen of England was an atheiſt; that the judges were miſcreants and bribers; the nobility godleſs and degenerate; the Privy Counſellors cormorants, and men of no religion; and in his prayer for the Queen he uſed theſe words, we muſt pray for her for faſhion-ſake, but we have no cauſe, ſhe will never do us good. James commanded him to be ſummoned before the Privy Council, to anſwer for ſuch ſeditious expreſſions; and the Clergy, inſtead of abandoning him to the puniſhment which ſuch a petulant and criminal attack on his ſuperiors deſerved, were ſo imprudent as to eſpouſe his cauſe, as if it had been the common one of the whole order. The controverſy concerning the immunities of the pulpit, and the rights of the Clergy to teſtify againſt vices of every kind, which had been agitated in one thouſand five hundred and eighty-four, was now revived. It was pretended that, with regard to their ſacred function, Miniſters were ſubject to the Church alone; that it belonged only to their eccleſi-

Nov. 10. The Clergy eſpouſe his defence.

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ecclesiastical superiors to judge of the truth or falsehood of doctrines delivered in the pulpit; that if, upon any pretence whatever, the King usurped this jurisdiction, the Church would, from that moment, sink under servitude to the civil magistrate; that, instead of reproving vice with that honest boldness which had often been of advantage to individuals, and salutary to the kingdom, the Clergy would learn to flatter the passions of the Prince, and to connive at the vices of others; that the King's eagerness to punish the indiscretion of a Protestant Minister, while he was so ready to pardon the crimes of Popish conspirators, called on them to stand upon their guard, and that now was the time to contend for their privileges, and to prevent any encroachment on those rights, of which the Church had been in possession ever since the Reformation. Influenced by these considerations, the Council of the Church enjoined Black to decline the jurisdiction of the Privy Council. Proud of such an opportunity to display his zeal, he presented a paper to that purpose, and with the utmost firmness refused to plead, or to answer the questions which were put to him. In order to add greater weight to these proceedings, the Council of the Church transmitted the *declinature* to all the Presbyteries throughout the kingdom, and enjoined every Minister to subscribe it in testimony of his approbation.

James defended his rights with no less vigour than they were attacked. Sensible of the contempt under which his authority must fall, if the Clergy should be permitted publicly, and with

impunity, to calumniate his Miniſters, and even to cenſure himſelf; and knowing, by former examples, what unequal reparation for ſuch offences he might expect from the judicatories of the Church, he urged on the inquiry into Black's conduct, and iſſued a proclamation, commanding the Members of the Council of the Church to leave Edinburgh, and to return to their own pariſhes. Black, inſtead of ſubmitting, renewed his *declinature*; and the Council, in defiance of the proclamation, declared, that as they met by the authority of the Church, obedience to it was a duty ſtill more ſacred than that which they owed to the King himſelf. The Privy Council, notwithſtanding Black's refuſing to plead, proceeded in the trial; and, after a ſolemn inquiry, pronounced him guilty of the crimes of which he had been accuſed; but referred it to the King to appoint what puniſhment he ſhould ſuffer.

Meanwhile, many endeavours were uſed to bring matters to accommodation. Almoſt every day produced ſome new ſcheme of reconcilement; but through the King's fickleneſs, the obſtinacy of the Clergy, or the intrigues of the courtiers, they all proved ineffectual. Both parties appealed to the people, and by reciprocal and exaggerated accuſations endeavoured to render each other odious. Inſolence, ſedition, treaſon, were the crimes with which James charged the Clergy; while they made the pulpits reſound with complaints of his exceſſive lenity towards Papiſts, and of the no leſs exceſſive rigour with which he oppreſſed the eſtabliſhed Church. Exaſperated by

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by their bold invectives, he, at laſt, ſentenced Black to retire beyond the river Spey, and to reſide there during his pleaſure; and once more commanding the members of the ſtanding Council to depart from Edinburgh, he required all the Miniſters in the kingdom to ſubſcribe a bond, obliging themſelves to ſubmit, in the ſame manner as other ſubjects, to the juriſdiction of the civil courts in matters of a civil nature.

A tumult in Edinburgh.

THIS deciſive meaſure excited all the violent paſſions which poſſeſs diſappointed factions; and deeds no leſs violent immediately followed. Theſe muſt be imputed in part to the artifices of ſome courtiers, who expected to reap advantage from the calamities of their country, or who hoped to leſſen the authority of the Octavians, by engaging them in hoſtilities with the church. On one hand, they informed the King that the citizens of Edinburgh were under arms every night, and had planted a ſtrong guard round the houſes of their miniſters. James, in order to put a ſtop to this imaginary inſult on his government, iſſued a proclamation, commanding twenty-four of the principal citizens to leave the town within ſix hours. On the other hand, they wrote to the Miniſters, adviſing them to look to their own ſafety, as Huntly had been ſecretly admitted to an interview with the King, and had been the author of the ſevere proclamation againſt the citizens of Edinburgh[u]. They doubted no more of the truth of

[u] Though matters were induſtriouſly aggravated by perſons, who wiſhed both parties to purſue violent meaſures; neither of theſe

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of this intelligence, than the King had done of that which he received, and fell as blindly into the ſnare. The letter came to their hands juſt as one of their number was going to mount the pulpit. They reſolved that he ſhould acquaint the people of their danger: and he painted it with all the ſtrong colours which men naturally employ in deſcribing any dreadful and inſtant calamity. When the ſermon was over, he deſired the nobles and gentlemen to aſſemble in the *Little Church*. The whole multitude, terrified at what they had heard, crowded thither; they promiſed and vowed to ſtand by the Clergy; they drew up a petition to the King, craving the redreſs of thoſe grievances, of which the Church complained, and beſeeching him to deliver them from all future apprehenſions of danger, by removing ſuch of his Counſellors as were known to be enemies of the Proteſtant religion. Two Peers, two Gentlemen, two Burgeſſes, and two Miniſters, were appointed to preſent it. The King happened to be in the great hall of the Tolbooth, where the court of ſeſſion was ſitting. The manner in which the petition was delivered, as well as its contents, offended him. He gave an haughty reply; the petitioners inſiſted with warmth; and a promiſcuous multitude preſſing into the room, James

Decem. 17.

The King in danger.

theſe reports was altogether deſtitute of foundation. As their Miniſters were ſuppoſed to be in danger, ſome of the more zealous citizens had determined to defend them by force of arms. Birch. Mem. ii. 250. Huntly had been privately in Edinburgh, where he had an interview, if not with the King, at leaſt with ſome of his Miniſters. Birch. Ibid. 230.

retired

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retired abruptly into another apartment, and commanded the gates to be ſhut behind him. The deputies returned to the multitude, who were ſtill aſſembled, and to whom a Miniſter had been reading, in their abſence, the ſtory of Haman. When they reported that the King had refuſed to liſten to their petitions, the Church was filled in a moment with noiſe, threatenings, execrations, and all the outrage and confuſion of a popular tumult. Some called for their arms, ſome to bring out the wicked Haman; others cried, The ſword of the Lord and of Gideon; and, ruſhing out with the moſt furious impetuoſity, ſurrounded the Tolbooth, threatening the King himſelf, and demanding ſome of his Counſellors, whom they named, that they might tear them in pieces. The magiſtrates of the city, partly by authority, partly by force, endeavoured to quell the tumult; the King attempted to ſoothe the malecontents, by promiſing to receive their petitions, when preſented in a regular manner; the Miniſters, ſenſible of their own raſhneſs in kindling ſuch a flame, ſeconded both; and the rage of the populace ſubſiding as ſuddenly as it had riſen, they all diſperſed, and the King returned to the palace; happy in having eſcaped from an inſurrection, which, though the inſtantaneous and unconcerted effect of popular fury, had expoſed his life to imminent danger, and was conſidered by him as an unpardonable affront to his authority[x].

[x] Spotſw. 417, &c. Cald. v. 54, &c. Birch. Mem. ii. 235.

As

As soon as he retired, the leaders of the malecontents assembled, in order to prepare their petition. The punishment of the Popish Lords; the removal of those Counsellors who were suspected of favouring their persons or opinions; the repeal of all the late acts of council, subversive of the authority of the Church; together with an act approving the proceedings of the standing council; were the chief of their demands. But the King's indignation was still so high, that the deputies, chosen for this purpose, durst not venture that night to present requests which could not fail of kindling his rage anew. Before next morning, James, with all his attendants, withdrew to Linlithgow; the session, and other courts of justice, were required to leave a city where it was no longer consistent either with their safety, or their dignity to remain; and the noblemen and barons were commanded to return to their own houses, and not to reassemble without the King's permission. The vigour with which the King acted, struck a damp upon the spirits of his adversaries. The citizens, sensible how much they would suffer by his absence, and the removal of the courts of justice, repented already of their conduct. The Ministers alone resolved to maintain the contest. They endeavoured to prevent the nobles from dispersing; they inflamed the people by violent invectives against the King; they laboured to procure subscriptions to an association for their mutual defence; and conscious what lustre and power the junction of some of the greater nobles would add to their cause, the Ministers of Edin-

He leaves Edinburgh, and proceeds with severity against the citizens.

BOOK VIII. 1597. burgh wrote to Lord Hamilton, that the people, moved by the word of God, and provoked by the injuries offered to the Church, had taken arms; that many of the nobles had determined to protect the Proteſtant religion, which owed its eſtabliſhment to the piety and valour of their anceſtors; that they wanted only a leader to unite them, and to inſpire them with vigour; that his zeal for the good cauſe, no leſs than his noble birth, entitled him to that honour: They conjured him, therefore, not to diſappoint their hopes and wiſhes, nor to refuſe the ſuffering Church that aid which ſhe ſo much needed. Lord Hamilton, inſtead of complying with their deſire, carried the letter directly to the King, whom this new inſult irritated to ſuch a degree, that he commanded the magiſtrates of Edinburgh inſtantly to ſeize their Miniſters, as manifeſt incendiaries, and encouragers of rebellion. The magiſtrates, in order to regain the King's favour, were preparing to obey: and the Miniſters, who ſaw no other hope of ſafety, fled towards England[y].

The King humbles the power of the Church. Jan. 3. THIS unſucceſsful inſurrection, inſtead of overturning, eſtabliſhed the King's authority. Thoſe concerned in it were confounded and diſperſed. The reſt of James's ſubjects, in order to avoid ſuſpicion, or to gain his favour, contended who ſhould be moſt forward to execute his vengeance. A Convention of eſtates being called, pronounced the late inſurrection to be high treaſon; ordained every Miniſter to ſubſcribe a declaration of his

[y] Spotſw. 451. Cald. v. 126.

ſubmiſſion

submission to the King's jurisdiction, in all matters civil and criminal; impowered magistrates to commit, instantly, to prison any Minister, who, in his sermons, should utter any indecent reflections on the King's conduct; prohibited any Ecclesiastical judicatory to meet without the King's licence; commanded that no person should be elected a magistrate of Edinburgh, for the future, without the King's approbation; and that, in the mean time, the present magistrates should either discover and inflict condign punishment on the authors of the late tumult, or the city itself should be subjected to all the penalties of that treasonable action[z]. 1597.

Abridges the privileges of the citizens of Edinburgh.

ARMED with the authority of these decrees, James resolved to crush entirely the mutinous spirit of his subjects. As the Clergy had, hitherto, derived their chief credit and strength from the favour and zeal of the citizens of Edinburgh, his first care was to humble them. Though the magistrates submitted to him in the most abject terms; though they vindicated themselves, and their fellow-citizens, from the most distant intention of violating his royal person or authority; though, after the strictest scrutiny, no circumstances that could fix on them the suspicion of premeditated rebellion had been discovered; though many of the nobles, and such of the clergy as still retained any degree of favour, interceded in their behalf; neither acknowledgments, nor intercessions, were of the least avail[a]. The King continued inexorable, the Feb. 28.

[z] Cald. v. 147. [a] Cald. v. 149.

BOOK VIII.

1597. city was declared to have forfeited its privileges as a corporation, and to be liable to all the penalties of treaſon. The capital of the kingdom, deprived of magiſtrates, deſerted by its miniſters, abandoned by the courts of juſtice, and proſcribed by the King, remained in deſolation and deſpair. The courtiers even threatened to raſe the city to the foundation, and to erect a pillar where it ſtood, as an everlaſting monument of the King's vengeance, and of the guilt of its inhabitants. At laſt, in compliance with Elizabeth, who interpoſed in their favour, and moved by the continual

March 21. ſolicitations of the nobles, James abſolved the citizens from the penalties of law, but at the ſame time he ſtripped them of their moſt important privileges; they were neither allowed to elect their own magiſtrates, nor their own miniſters; many new burdens were impoſed on them; and a great ſum of money was exacted by way of peace-offering[b].

New regulations with regard to the Church.

James was, meanwhile, equally aſſiduous, and no leſs ſucceſsful, in circumſcribing the juriſdiction of the Church. Experience had diſcovered that to attempt this, by acts of parliament, and ſentences of privy council, was both ineffectual and odious. He had recourſe now to an expedient more artful, and better calculated for obtaining his end. The Eccleſiaſtical judicatories were compoſed of many members; the majority of the Clergy were extremely indigent, and unprovided of legal ſtipends; the miniſters in the neighbourhood of Edinburgh,

[b] Spotſw. 434. 444.

notwith-

notwithſtanding the parity eſtabliſhed by the Preſ- BOOK VIII.
byterian government, had aſſumed a leading in
the Church, which filled their brethren with envy; 1597.
every numerous body of men is ſuſceptible of ſud-
den and ſtrong impreſſions, and liable to be influ-
enced, corrupted, or overawed. Induced by theſe
conſiderations, James thought it poſſible to gain
the Clergy, whom he had in vain attempted to
ſubdue. Proper agents were ſet to work all over
the kingdom; promiſes, flattery, and threats were
employed; the uſurpations of the brethren near
the capital were aggravated; the jealouſy of their
power, which was growing in the diſtant pro-
vinces, was augmented; and two different Ge-
neral Aſſemblies were held, in both which, not-
withſtanding the zeal and boldneſs wherewith a
few leading Clergymen defended the privileges of
the Church, a majority declared in favour of thoſe
meaſures which were agreeable to the King.
Many practices, which had continued ſince the Re-
formation, were condemned; many points of diſ-
cipline, which had hitherto been reckoned ſacred
and uncontroverted, were given up; the licenſe,
with which miniſters diſcourſed of political mat-
ters, was reſtrained; the freedom with which they
inveighed againſt particular perſons, cenſured;
ſentences of ſummary excommunication declared
unlawful; the convoking a General Aſſembly,
without the King's permiſſion, prohibited; and
the right of nominating miniſters to the principal
towns, veſted in the Crown. Thus, the Clergy
themſelves ſurrendered privileges, which it would
have been dangerous to invade, and voluntarily

BOOK VIII. 1597.

submitted to a yoke more intolerable than any James would have ventured to impose by force; while such as continued to oppose his measures, instead of their former popular topic of the King's violent encroachments on a jurisdiction which did not belong to him, were obliged to turn their outcries against the corruptions of their own order[c].

Popish Lords pardoned.

By the authority of these General Assemblies, the Popish Earls were allowed to make a public recantation of their errors; were absolved from the sentence of excommunication; and received into the bosom of the Church. But, not many years after, they relapsed into their former errors, were again reconciled to the church of Rome, and by their apostacy justified, in some degree, the fears and scruples of the Clergy with regard to their absolution.

The Ministers of Edinburgh owed to the intercession of these assemblies the liberty of returning to their charges in the city. But this liberty was clogged in such a manner as greatly abridged their power. The city was divided into distinct parishes; the number of Ministers doubled; persons on whose fidelity the King could rely were fixed in the new parishes; and these circumstances, added to the authority of the late decrees of the Church, contributed to confirm that absolute dominion in Ecclesiastical affairs, which James possessed during the remainder of his reign.

The King was so intent on new modelling the Church, that the other transactions of this period

[c] Spotsw. 433. Cald. v. 189. 233.

scarce

ſcarce deſerve to be remembered. The Octavians, envied by the other courtiers, and ſplitting into factions among themſelves, reſigned their commiſſion; and the adminiſtration of the revenue returning into its former channel, both the King and the nation were deprived of the benefit of their regular and frugal œconomy.

Dec. 19. TOWARDS the end of the year, a parliament was held in order to reſtore Huntly and his aſſociates to their eſtates and honours, by repealing the act of forfeiture paſſed againſt them. The authority of this ſupreme court was likewiſe employed to introduce a farther innovation into the Church; but, conformable to the ſyſtem which the King had now adopted, the motion for this purpoſe took its riſe from the Clergy themſelves. As the act of general annexation, and that eſtabliſhing the Preſbyterian government, had reduced the few Biſhops, who ſtill ſurvived, to poverty and contempt; as thoſe who poſſeſſed the Abbeys and Priories were mere laymen, and many of them temporal Peers, few or none of the Eccleſiaſtical order remained to vote in parliament, and, by means of that, the influence of the Crown was conſiderably diminiſhed there, and a proper balance to the power and number of the nobles was wanting. But the prejudices the nation had conceived againſt the name and character of Biſhops were ſo violent, that James was obliged, with the utmoſt care, to avoid the appearance of a deſign to revive that order. He prevailed therefore on the Commiſſion appointed by the laſt General Aſſembly to complain to the Parliament, that the

Eccleſiaſtics reſtored to a ſeat in parliament.

BOOK VIII. 1598.

Church was the only body in the kingdom deſtitute of its repreſentatives in that ſupreme court, where it ſo nearly concerned every order to have ſome, who were bound to defend its rights; and to crave that a competent number of the Clergy ſhould be admitted, according to ancient cuſtom, to a ſeat there. In compliance with this requeſt, an act was paſſed, by which thoſe Miniſters, on whom the King ſhould confer the vacant Biſhoprics and Abbeys, were intitled to a vote in Parliament; and that the Clergy might conceive no jealouſy of any encroachment upon their privileges, it was remitted to the General Aſſembly, to determine what ſpiritual juriſdiction or authority in the government of the Church theſe perſons ſhould poſſeſs [d].

The King, however, found it no eaſy matter to obtain the concurrence of the Eccleſiaſtical judicatories, in which the act of Parliament met with a fierce oppoſition. Though the Clergy perceived how much luſtre this new privilege would reflect upon their order; though they were not inſenſible of the great acceſſion of perſonal power and dignity, which many of them would acquire, by being admitted into the ſupreme council of the nation, their abhorrence of epiſcopacy was extreme; and to that they ſacrificed every conſideration of intereſt or ambition. All the King's profeſſions of regard for the preſent conſtitution of the Church did not convince them of his ſincerity; all the devices that could be invented for reſtraining and

[d] Spotſw. 450. Parl. 15th Jac. VI. c. 235.

circum-

circumſcribing the juriſdiction of ſuch as were to be raiſed to this new honour, did not diminiſh their jealouſy and fear. Their own experience had taught them, with what inſinuating progreſs the hierarchy advances, and though admitted at firſt with moderate authority, and under ſpecious pretences, how rapidly it extends its dominion. "Varniſh over this ſcheme, ſaid one of the leading Clergymen, with what colours you pleaſe; deck the intruder with the utmoſt art; under all this diſguiſe, I ſee the horns of his mitre." The ſame ſentiments prevailed among many of his brethren, and induced them to reject power and honours, with as much zeal as ever thoſe of their order courted them. Many, however, were allured by the hopes of preferment; the King himſelf and his Miniſters employed the ſame arts, which they had tried ſo ſucceſsfully laſt year; and after long debates, and much oppoſition, the General Aſſembly declared that it was lawful for Miniſters to accept of a ſeat in Parliament; that it would be highly beneficial to the Church, to have its repreſentatives in that ſupreme court; and that fifty-one perſons, a number nearly equal to that of the Eccleſiaſtics, who were anciently called to Parliament, ſhould be choſen from among the Clergy for that purpoſe. The manner of their election, together with the powers to be veſted in them, were left undecided for the preſent, and furniſhed matter of future deliberation[e]. March 7.

[e] Spotſw. 450. Cald. v. 278.

As

BOOK VIII.

1599. James endeavours with success to gain a party in England.

As the prospect of succeeding to the Crown of England drew nearer, James multiplied precautions in order to render it certain. As he was allied to many of the Princes of Germany by his marriage, he sent ambassadors extraordinary to their several courts, in order to explain the justness of his title to the English throne, and to desire their assistance, if any competitor should arise to dispute his undoubted rights. These Princes readily acknowledged the equity of his claim; but the aid which they could afford him was distant and feeble. At the same time, Edward Bruce, abbot of Kinloss, his ambassador at the English court, solicited Elizabeth, with the utmost warmth, to recognize his title by some public deed, and to deliver her own subjects from the calamities which are occasioned by an uncertain or disputed succession. But age had strengthened all the passions which had hitherto induced Elizabeth to keep this great question obscure and undecided; and a general and evasive answer was all that James could obtain. As no impression could be made on the Queen, the ambassador was commanded to sound the disposition of her subjects, and to try what progress he could make in gaining them. Bruce possessed all the talents of secrecy, judgment, and address, requisite for conducting a negotiation no less delicate than important. A Minister of this character was intitled to the confidence of the English. Many of the highest rank unbosomed themselves to him without reserve, and gave him repeated assurances of their resolution to assert his master's right, in op-

position to every pretender[f]. As several pamphlets were dispersed, at this time, in England, containing objections to his title, James employed some learned men in his kingdom to answer these cavillers, and to explain the advantages which would result to both kingdoms by the union of the Crowns. These books were eagerly read, and contributed not a little to reconcile the English to that event. A book published this year by the King himself, produced an effect still more favourable. It was intitled *Basilicon Doron*, and contained precepts concerning the art of government, addressed to Prince Henry his son. Notwithstanding the great alterations and refinements in national taste since that time, we must allow this to be no contemptible performance, and not to be inferior to the works of most contemporary writers, either in purity of style or justness of composition. Even the vain parade of erudition with which it abounds, and which now disgusts us, raised the admiration of that age; and as it was filled with those general rules which speculative authors deliver for rendering a nation happy, and of which James could discourse with great plausibility, though often incapable of putting them in practice, the English conceived an high opinion of his abilities, and expected an increase of national honour and prosperity, under a Prince so profoundly skilled in politics, and who gave such a specimen both of his wisdom and of his love to his people[g].

[f] Johnst. 242. [g] Camd. Spotsw. 457.

THE

BOOK VIII.

1589.

THE Queen of England's ſentiments concerning James, were very different from thoſe of her ſubjects. His exceſſive indulgence towards the Popiſh Lords; the facility with which he pardoned their repeated treaſons; his reſtoring Beaton, the Popiſh Archbiſhop of Glaſgow, who had fled out of Scotland at the time of the Reformation, to the poſſeſſion of the temporalities of that benefice; the appointing him his Ambaſſador at the court of France; the applauſe he beſtowed, in the Baſilicon Doron, on thoſe who adhered to the Queen his mother, Elizabeth conſidered as ſo many indications of a mind alienated from the Proteſtant religion; and ſuſpected that he would ſoon revolt from the profeſſion of it. Theſe ſuſpicions ſeemed to be fully confirmed by a diſcovery which came from the Maſter of Gray, who reſided at that time in Italy, and who, rather than ſuffer his intriguing ſpirit to be idle, demeaned himſelf ſo far as to act as a ſpy for the Engliſh court. He conveyed to Elizabeth the copy of a letter, written by James to Pope Clement VIII. in which the King, after many expreſſions of regard for that pontiff, and of gratitude for his favours, declared his firm reſolution to treat the Roman Catholics with indulgence; and, in order to render the intercourſe between the court of Rome and Scotland more frequent and familiar, he ſolicited the Pope to promote Drummond, Biſhop of Vaiſon, a Scotſman, to the dignity of a Cardinal[h]. Elizabeth, who had received by another channel[i], ſome im-

Accuſes him of correſponding with the Pope.

[h] Cald. 333. [i] Winw. Mem. vol. i. 37. 52.

perfect

perfect intelligence of this correspondence, was filled with just surprise, and immediately dispatched Bowes into Scotland, to inquire more fully into the truth of the matter, and to reproach James for an action so unbecoming a Protestant Prince. He was astonished at the accusation, and with a confidence, which nothing but the consciousness of innocence could inspire, affirmed the whole to be a mere calumny, and the letter itself to be forged by his enemies, on purpose to bring his sincerity in religion to be suspected. Elphingston the Secretary of State denied the matter with equal solemnity. It came to be known by a very singular accident, which happened some years after, that the information which Elizabeth had received was well founded, though at the same time the King's declarations of his own innocence were perfectly consistent with truth. Cardinal Bellarmine, in a reply which he published to a controversial treatise, of which the King was the author, accused him of having abandoned the favourable sentiments which he had once entertained of the Roman Catholic religion, and, as a proof of this, quoted his letter to Clement VIII. It was impossible, any longer, to believe this to be a fiction; and it was a matter too delicate to be passed over without strict inquiry. James immediately examined Elphingston, and his confession unravelled the whole mystery. He acknowledged that he had shuffled in this letter among other papers, which he laid before the King to be signed, who suspecting no such deceit, subscribed it together with the rest, and

1599.

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1599.

and without knowing what it contained; that he had no other motive, however, to this action, but zeal for his Majesty's service; and, by flattering the Roman Catholics with hopes of indulgence under the King's government, he imagined that he was paving the way for his more easy accession to the English throne. The Privy Council of England entertained very different sentiments of the Secretary's conduct. In their opinion, not only the King's reputation had been exposed to reproach, but his life to danger, by this rash imposture; they even imputed the gunpowder treason to the rage and disappointment of the Papists, upon finding that the hopes which this letter inspired were frustrated. The Secretary was sent a prisoner into Scotland, to be tried for high treason. His peers found him guilty, but, by the Queen's intercession, he obtained a pardon[k].

ACCORDING to the account of other historians, James himself was no stranger to this correspondence with the Pope; and, if we believe them, Elphingston, being intimidated by the threats of the English council, and deceived by the artifices of the Earl of Dunbar, concealed some circumstances in his narrative of this transaction, and falsified others; and at the expence of his own fame, and with the danger of his life, endeavoured to draw a veil over this part of his master's conduct[l].

James at great pains to gain the Roman Catholics.

BUT whether we impute the writing of this letter to the Secretary's officious zeal, or to the King's command, it is certain, that, about this time, James

[k] State Trials, vol. i. 429. Spotsw. 456. 507. Johnst. 448.
[l] Cald. vol. v. 322. vi. 147.

was

1599.

was at the utmoſt pains to gain the friendſhip of the Roman Catholic Princes, as a neceſſary precaution towards facilitating his acceſſion to the Engliſh throne. Lord Home, who was himſelf a Papiſt, was entruſted with a ſecret commiſſion to the Pope[m]; the Archbiſhop of Glaſgow was an active inſtrument with thoſe of his own religion[n]. The Pope expreſſed ſuch favourable ſentiments both of the King, and of his right to the Crown of England, that James thought himſelf bound, ſome years after, to acknowledge the obligation in a public manner[o]. Sir James Lindſay made great progreſs in gaining the Engliſh Papiſts to acknowledge his Majeſty's title. Of all theſe intrigues Elizabeth received obſcure hints from different quarters. The more imperfectly ſhe knew, the more violently ſhe ſuſpected the King's deſigns; and the natural jealouſy of her temper increaſing with age, ſhe obſerved his conduct with greater ſolicitude than ever.

1600. March 28. His regulations with regard to the Church.

THE queſtions with regard to the election and power of the repreſentatives of the Church, were finally decided this year by the General Aſſembly, which met at Montroſe. That place was choſen as moſt convenient for the Miniſters of the North, among whom the King's influence chiefly lay. Although great numbers reſorted from the northern provinces, and the King employed his whole intereſt, and the authority of his own preſence, to gain a majority, the following regulations were with difficulty agreed on. That the General

[m] Winw. Mem. vol. ii. 57. [n] Cald. vol. vi. 147.
[o] Cald. vol. v. 604.

Aſſembly

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Assembly shall recommend six persons to every vacant benefice, which gave a title to a seat in Parliament, out of whom the King should nominate one; that the person so elected, after obtaining his seat in Parliament, shall neither propose, nor consent to any thing there, that may affect the interest of the Church, without special instructions to that purpose; that he shall be answerable for his conduct to every General Assembly; and submit to its censure, without appeal, upon pain of infamy and excommunication; that he shall discharge the duties of a Pastor, in a particular congregation; that he shall not usurp any ecclesiastical jurisdiction, superior to that of his other brethren; that if the Church inflict on him the censure of deprivation, he shall thereby forfeit his seat in Parliament; that he shall annually resign his commission to the General Assembly, which may be restored to him, or not, as the Assembly, with the King's approbation, shall judge most expedient for the good of the Church [p]. Nothing could be more repugnant to the idea of episcopal government, than these regulations. It was not in consequence of rights derived from their office, but of powers conferred by a commission, that the ecclesiastical persons were to be admitted to a seat in Parliament; they were the representatives, not the superiors of the Clergy. Destitute of all spiritual authority, even their civil jurisdiction was temporary. James, however, flattered himself that they would soon be able to shake

[p] Spotsw. 453. 457. Cald vol. v. 368.

off theſe fetters, and gradually acquire all the privileges which belonged to the epiſcopal order. The Clergy dreaded the ſame thing; and of courſe he contended for the nomination of theſe commiſſioners, and they oppoſed it, not ſo much on account of the powers then veſted in them, as of thoſe to which it was believed they would ſoon attain[q]. BOOK VII. 1600.

Gowrie's conſpiracy.

DURING this ſummer, the kingdom enjoyed an unuſual tranquillity. The Clergy, after many ſtruggles, were brought under great ſubjection; the Popiſh Earls were reſtored to their eſtates and honours, by the authority of Parliament, and with the conſent of the Church; the reſt of the nobles were at peace among themſelves, and obedient to the royal authority; when, in the midſt of this ſecurity, the King's life was expoſed to the utmoſt danger, by a conſpiracy altogether unexpected, and almoſt inexplicable. The authors of it were John Ruthven, Earl of Gowrie, and his brother Alexander, the ſons of that Earl who was beheaded in the year one thouſand five hundred and eighty-four. Nature had adorned both theſe young men, eſpecially the elder brother, with many accompliſhments, to which education had added its moſt elegant improvements. More learned than is uſual among perſons of their rank; more religious than is common at their age of life; generous, brave, popular; their countrymen, far from thinking them capable of any atrocious crime, conceived the moſt ſanguine hopes of their early virtues. Notwithſtanding

[q] Spotſ. 454.

BOOK VIII. 1600.

all these noble qualities, some unknown motive engaged them in a conspiracy, which, if we adhere to the account commonly received, must be transmitted to posterity, as one of the most wicked, as well as one of the worst concerted, of which history makes any mention.

On the fifth of August, as the King, who resided during the hunting season in his palace of Falkland, was going out to his sport early in the morning, he was accosted by Mr. Alexander Ruthven, who, with an air of great importance, told the King, that the evening before he had met an unknown man, of a suspicious aspect, walking alone in a by-path, near his brother's house at Perth; and on searching him, had found, under his cloak, a pot filled with a vast quantity of foreign gold; that he had immediately seized both him and his treasure, and, without communicating the matter to any person, had kept him confined and bound in a solitary house; and that he thought it his duty to impart such a singular event, first of all to his Majesty. James immediately suspected this unknown person to be a seminary priest, supplied with foreign coin, in order to excite new commotions in the kingdom; and resolved to impower the Magistrates of Perth to call the person before them, and inquire into all the circumstances of the story. Ruthven violently opposed this resolution, and with many arguments urged the King to ride directly to Perth, and to examine the matter with his own eyes. Meanwhile the chace began; and James, notwithstanding his passion for that amusement, could not help ruminating upon

the

the ſtrangeneſs of the tale, and on Ruthven's importunity. At laſt, he called him, and promiſed, when the ſport was over, to ſet out for Perth. The chace, however, continued long; and Ruthven, who all the while kept cloſe by the King, was ſtill urging him to make haſte. At the death of the buck he would not allow James to ſtay till a freſh horſe was brought him; and obſerving the Duke of Lennox and the Earl of Mar preparing to accompany the King, he intreated him to countermand them. This James refuſed; and though Ruthven's impatience and anxiety, as well as the apparent perturbation in his whole behaviour, raiſed ſome ſuſpicions in his mind; yet his own curioſity, and Ruthven's ſolicitations, prevailed on him to ſet out for Perth. When within a mile of the town, Ruthven rode forward to inform his brother of the King's arrival, though he had already diſpatched two meſſengers for that purpoſe. At a little diſtance from the town, the Earl, attended by ſeveral of the citizens, met the King, who had only twenty perſons in his train. No preparations were made for the King's entertainment; the Earl appeared penſive and embarraſſed, and was at no pains to atone, by his courteſy or hoſpitality, for the bad fare with which he treated his gueſts. When the King's repaſt was over, his attendants were led to dine in another room, and he being left almoſt alone, Ruthven whiſpered him, that now was the time to go to the chamber where the unknown perſon was kept. James commanded him to bring Sir Thomas Erſkine along with them; but, inſtead of that, Ruthven ordered him not to follow: And

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conducting the King up a ſtair-caſe, and then through ſeveral apartments, the doors of which he locked behind him, led him at laſt into a ſmall ſtudy, in which there ſtood a man clad in armour, with a ſword and dagger by his ſide. The King, who expected to have found one diſarmed and bound, ſtarted at the ſight, and inquired if this was the perſon; but Ruthven ſnatching the dagger from the girdle of the man in armour, and holding it to the King's breaſt, "Remember, ſaid "he, how unjuſtly my father ſuffered by your "command; you are now my priſoner; ſubmit "to my diſpoſal without reſiſtance, or outcry; "or this dagger ſhall inſtantly avenge his blood." James expoſtulated with Ruthven, intreated, and flattered him. The man whom he found in the ſtudy ſtood, all the while, trembling, and diſmayed, without courage either to aid the King, or to ſecond his aggreſſor. Ruthven proteſted, that if the King raiſed no outcry, his life ſhould be ſafe; and, moved by ſome unknown reaſon, retired in order to call his brother, leaving to the man in armour the care of the King, whom he bound by oath not to make any noiſe during his abſence.

While the King was in this dangerous ſituation, his attendants growing impatient to know whither he had retired, one of Gowrie's attendants entered the room haſtily, and told them that the King had juſt rode away towards Falkland. All of them ruſhed out into the ſtreet; and the Earl, in the utmoſt hurry, called for their horſes. But by this time his brother had returned to the King, and ſwearing that now there was no remedy, he muſt

muſt die, offered to bind his hands. Unarmed as James was, he ſcorned to ſubmit to that indignity; and cloſing with the aſſaſſin, a fierce ſtruggle enſued. The man in armour ſtood, as formerly, amazed and motionleſs; and the King dragging Ruthven towards a window, which during his abſence he had perſuaded the perſon with whom he was left to open, cried, with a wild and affrighted voice, "Treaſon! Treaſon! Help! I am murdered!" His attendants heard, and knew the voice; and ſaw, at the window, a hand which graſped the King's neck with violence. They flew with precipitation to his aſſiſtance. Lennox and Mar, with the greater number, ran up the principal ſtair-caſe, where they found all the doors ſhut, which they battered with the utmoſt fury, endeavouring to burſt them open. But Sir John Ramſey, entering by a back-ſtair, which led to the apartment where the King was, found the door open; and ruſhing upon Ruthven, who was ſtill ſtruggling with the King, ſtruck him twice with his dagger, and thruſt him towards the ſtair-caſe, where Sir Thomas Erſkine and Sir Hugh Herries met, and killed him; he crying with his laſt breath, "Alas! I am not to blame for this action." During this ſcuffle, the man who had been concealed in the ſtudy eſcaped unobſerved. Together with Ramſey, Erſkine, and Herries, one Wilſon, a footman, entered the room where the King was, and before they had time to ſhut the door, Gowrie ruſhed in with a drawn ſword in each hand, followed by ſeven of his attendants well armed, and with a loud voice threatened them all

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with instant death. They immediately thrust the King into the little study, and shutting the door upon him, encountered the Earl. Notwithstanding the inequality of numbers, Sir John Ramsey pierced Gowrie through the heart, and he fell down dead without uttering a word; his followers having received several wounds, immediately fled. Three of the King's defenders were likewise hurt in the conflict. A dreadful noise continued still at the opposite door, where many persons laboured in vain to force a passage; and the King being assured that they were Lennox, Mar, and his other friends, it was opened on the inside. They ran to the King, whom they unexpectedly found safe, with transports of congratulation; and he, falling on his knees, with all his attendants around him, offered solemn thanks to God for such a wonderful deliverance. The danger, however, was not yet over. The inhabitants of the town, whose Provost Gowrie was, and by whom he was extremely beloved, hearing the fate of the two brothers, ran to their arms, and surrounded the house, threatening revenge, with many insolent and opprobrious speeches against the King. James endeavoured to pacify the enraged multitude, by speaking to them from the window; he admitted their magistrates into the house; related to them all the circumstances of the fact; and, their fury subsiding by degrees, they dispersed. On searching the Earl's pockets for papers that might discover his designs and accomplices, nothing was found but a small parchment bag, full of magical characters and words of enchantment; and if we may believe the account

account of the conſpiracy publiſhed by the King, "while theſe were about him, the wound of "which he died, bled not; but as ſoon as they "were taken away, the blood guſhed out in great "abundance." After all the dangerous adventures of this buſy day, the King returned in the evening to Falkland, having committed the dead bodies of the two brothers to the cuſtody of the Magiſtrates of Perth.

The motive of the conſpirators not eaſily explained.

NOTWITHSTANDING the minute detail which the King gave of all the circumſtances of this conſpiracy againſt his life, the motives which induced the two brothers to attempt an action ſo deteſtable, the end they had in view, and the accomplices on whoſe aid they depended, were altogether unknown. The words of Ruthven to the King gave ſome grounds to think that the deſire of revenging their father's death had inſtigated them to this attempt. But, whatever injuries their father had ſuffered, it is ſcarcely probable that they could impute them to the King, whoſe youth, as well as his ſubjection at that time to the violence of a faction, exempted him from being the object of reſentment, on account of actions which were not done by his command. James had even endeavoured to repair the wrongs which the father had ſuffered, by benefits to his children; and Gowrie himſelf, ſenſible of his favour, had acknowledged it with the warmeſt expreſſions of gratitude. Three of the Earl's attendants, being convicted of aſſiſting him in this aſſault on the King's ſervants, were executed at Perth; but they could give no light into the motives which had prompted

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their master to an action so repugnant to these acknowledgments. Diligent search was made for the person concealed in the study, and from him great discoveries were expected. But Andrew Henderson the Earl's steward, who, upon a promise of pardon, confessed himself to be the man, was as much a stranger to his master's design as the rest; and though placed in the study by Gowrie's command, he did not even know for what end that station had been assigned him. The whole transaction remained as impenetrably dark as ever; and the two brothers, it was concluded, had concerted their scheme without either confident or accomplice, with unexampled secrecy as well as wickedness.

Sprot's discoveries concerning it.

An accident, no less strange than the other circumstances of the story, and which happened nine years after, discovered that this opinion, however plausible, was ill-founded; and that the two brothers had not carried on their machinations all alone. One Sprot, a notary, having whispered among several persons that he knew some secrets relating to Gowrie's conspiracy, the privy council thought the matter worthy of their attention, and ordered him to be seized. His confession was partly voluntary, and partly forced from him by torture. According to his account, Logan of Restalrig, a gentleman of an opulent fortune, but of dissolute morals, was privy to all Gowrie's intentions, and an accomplice in his crimes. Mr. Ruthven, he said, had frequent interviews with Logan, in order to concert the plan of their operations; the Earl had corresponded with him to the same purpose; and one Bour, Logan's confident,

dent, was truſted with the ſecret, and carried the letters between them. Both Logan and Bour were now dead. But Sprot affirmed that he had read letters written both by Gowrie and Logan on that occaſion; and, in confirmation of his teſtimony, ſeveral of Logan's letters, which a curioſity fatal to himſelf had prompted Sprot to ſteal from among Bour's papers, were produced[r]. Theſe were compared, by the privy council, with papers of Logan's hand-writing, and the reſemblance was manifeſt. Perſons of undoubted credit, and well qualified to judge of the matter, examined them, and ſwore to their authenticity. Death itſelf did not exempt Logan from proſecution; his bones were dug up and tried for High Treaſon, and by a ſentence, equally odious and illegal[s], his

[r] Logan's letters were five in number. One to Bour, another to Gowrie, and three of them without any direction; nor could Sprot diſcover the name of the perſon to whom they were written. Logan gives him the appellation of *Right Honourable*. It appears from this, however, and from other words in the letter, *Crom.* 95. that there were ſeveral perſons privy to the conſpiracy. The date of the firſt letter is July 18th. Mr. Ruthven had communicated the matter to Logan only five days before. Ibid. It appears from the original *ſummons of forfaulture* againſt Logan's heirs, that Bour, though he had letters addreſſed to him with regard to a conſpiracy equally dangerous and important, was ſo illiterate that he could not read. "Jacobus Bour, literarum prorſus ignarus, dicti Geor-"gii opera in legendis omnibus ſcriptis ad eum miſſis, vel "pertinentibus, utebatur." This is altogether ſtrange; and nothing but the capricious character of Logan can account for his chuſing ſuch a confident.

[s] By the Roman law, perſons guilty of the crime of High Treaſon might be tried even after death. This practice was adopted

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his lands were forfeited, and his poſterity declared infamous. Sprot was condemned to be hanged for miſpriſion of treaſon. He adhered to his confeſſion to the laſt, and having promiſed, on the

adopted by the Scots, without any limitation, Parl. 1540. c. 69. But the unlimited exerciſe of this power was ſoon conceived to be dangerous; and the Crown was laid under proper reſtrictions, by an act A. D. 1542. which has never been printed. The words of it are, "And becauſe the ſaid Lords (i. e. the Lords of Articles) think the ſaid act (viz. in 1540) too general, and prejudicial to the Barons in the realm, therefore ſtatutes and ordains that the ſaid act ſhall have no place in time coming, but againſt the heirs of them that notoriouſly commit or ſhall commit leſe Majeſty againſt the King's perſon, againſt the realm for averting the ſame, and againſt them that ſhall happen to betray the King's army allenarly, and being notourly known in their time; and the heirs of theſe perſons to be called and judged within five years after the deceaſe of the ſaid perſons committers of the ſaid crimes; and the ſaid time being bypaſt, the ſaid heirs never to be purſued for the ſame." The ſentence againſt Logan violated this ſtatute in two particulars. He was not notourly known during his life to be an accomplice in the crime for which he was tried; and his heir was called in queſtion more than five years after his death. It is remarkable that this ſtatute ſeems not to have been attended to in the parliament which forfeited Logan. Another ſingular circumſtance deſerves notice. As it is a maxim of juſtice that no perſon can be tried in abſence; and as lawyers are always tenacious of their forms, and often abſurd in their devices for preſerving them, they contrived that, in any proceſs againſt a dead perſon, his corpſe or bones ſhall be preſented at the bar. Examples of this occur frequently in the Scottiſh hiſtory. After the battle of Corrichie, the dead body of the Earl of Huntly was preſented in parliament, before ſentence of *forfaulture* was pronounced againſt him. For the ſame reaſon the bodies of Gowrie and his brother were preſerved, in order that they might be produced in parliament. Logan's bones, in compliance with the ſame rule, were dug up. Mackenz. Crim. Law, Book i. Tit. 6. § 22.

ſcaffold,

ſcaffold, to give the ſpectators a ſign in confirmation of the truth of what he had depoſed, he thrice clapped his hands after he was thrown off the ladder by the executioner[t].

[t] It appears that Archbiſhop Spotſwood was preſent at the execution of Sprot, *Crom.* 115. and yet he ſeems to have given no credit to his diſcoveries. The manner in which he ſpeaks of him is remarkable, "Whether or not I ſhould mention the arraignment and execution of George Sprot, who ſuffered at Edinburgh, I am doubtful. His confeſſion, though voluntary and conſtant, carrying ſmall probability. The man depoſed, &c. It ſeemed to be a very fiction, and a mere invention of the man's own brain, for neither did he ſhew the letter, nor could any wiſe man think that Gowrie, who went about the treaſon ſo ſecretly, would have communicated the matter to ſuch a man as Logan was known to be." p. 508. Spotſwood could not be ignorant of the ſolemnity with which Logan had been tried, and of the proof brought of the authenticity of his letters. He himſelf was probably preſent in parliament at the trial. The Earl of Dunbar, of whom he always ſpeaks with the higheſt reſpect, was the perſon who directed the proceſs againſt Logan. Such a peremptory declaration againſt the truth of Sprot's evidence, notwithſtanding all theſe circumſtances, is ſurpriſing. Sir Thomas Hamilton, the King's advocate at that time, and afterwards Earl of Hadington, repreſents the proof produced at Logan's trial as extremely convincing; and in an original letter of his to the King, the 21ſt of June 1609, (in Bibl. Facult. Jurid.) after mentioning the manner in which the trial had been conducted, he thus goes on:

"When the probation of the ſummons was referred to the Lords of Articles votes, they found uniformly, all in one voice, the ſaid ſummons to be ſo clearly proved, that they ſeemed to contend who ſhould be able moſt zealouſly to expreſs the ſatisfaction of his heart, not only by the moſt pithy words, but by tears of joy; diverſe of the beſt rank confeſſing, that that whereof they doubted at their entry into the houſe was now ſo manifeſt, that they behoved to eſteem them traitors who ſhould any longer refuſe to declare their aſſured reſolution of the truth of that treaſon."

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But though it be thus unexpectedly discovered that Gowrie did not act without associates, little additional light is thrown, by this discovery, on the motives and intention of his conduct. It appears almost incredible that two young men of such distinguished virtue should revolt all at once from their duty, and attempt a crime so atrocious, as the murder of their Sovereign. It appears still more improbable, that they should have concerted their undertaking with so little foresight and prudence. If they intended that the deed should have remained concealed, they could not have chosen a more improper scene for executing it, than their own house. If they intended that Henderson should have struck the blow, they could not have pitched on a man more destitute of the courage that must direct the hand of an assassin; nor could they expect that he, unsolicited, and unacquainted with their purpose, would venture on such a desperate action. If Ruthven meant to stab the King with his own hand, why did he withdraw the dagger, after it was pointed at his breast? How could he leave the King, after such a plain declaration of his intention? Was it not preposterous to commit him to the keeping of such a timid and false associate, as Henderson? For what purpose did he waste time, in binding the hands of an unarmed man, whom he might easily have dispatched with his sword? Had Providence permitted them to embrue their hands in the blood of their Sovereign, what advantage could have accrued to them by his death? and what claims or pretensions could

they have oppoſed to the rights of his children[u]? Inevitable and inſtant vengeance, together with perpetual infamy, were the only conſequences they could expect to follow ſuch a crime.

On the other hand, it is impoſſible to believe that the King had formed any deſign againſt the life of the two brothers. They had not incurred his indignation by any crime; and were in no degree the objects of his jealouſy or hatred[x]; nor was

[u] It has been aſſerted, that, in conſequence of the King's death, the Earl of Gowrie might have pretended to the Crown of England, as the ſon of Dorothea Stewart daughter of Lord Methven by Margaret of England, who, after her divorce from the Earl of Angus, took that nobleman for her third huſband. Burnet Hiſt. of his own Times. But this aſſertion is ill-founded. It appears, from undoubted evidence, that Lord Methven had only one child by Queen Margaret, which died in its infancy, and Dorothea Lady Ruthven was not the daughter of Queen Margaret, but of Janet Stewart, Lord Methven's ſecond wife, a daughter of John Earl of Athol. Crawf. Peer. 329. And though Gowrie had really been deſcended from the blood-royal of England, the King at that time had a ſon and a daughter; and beſides them, Lady Arabella Stewart, daughter of Charles Earl of Lennox, had a preferable title to the Crown of England.

[x] Sir Henry Neville, in a letter to Sir Ralph Winwood, imputes the death of the two brothers to a cauſe not mentioned by any of our hiſtorians. "Out of Scotland we hear that there is no good agreement, but rather an open diffidence betwixt the King and his wife, and many are of opinion that the diſcovery of ſome affection between her and the Earl of Gowrie's brother (who was killed with him) was the trueſt cauſe and motive of that tragedy." Winw. Mem. vol. i. 274. Whether the following paſſages in Nicholſon's letter be any confirmation of that ſuſpicion, is ſubmitted to the reader. In his letter Sept. 22, 1602, he mentions the return of Gowrie's two younger brothers into Scotland, and adds, "The coming in

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was he of a ſpirit ſo ſanguinary, or ſo noted for raſh and deſperate valour, as to have attempted to murder them in their own houſe, where they were ſurrounded with many domeſtics, he only with a ſlender and unarmed train; where they could call to their aſſiſtance the inhabitants of a city, at the devotion of their family, while he was at a diſtance from all aid; and leaſt of all would he have choſen for his aſſociates, in ſuch an enterprize, the Earl of Mar, and the Duke of Lennox, the former connected in cloſe friendſhip with the houſe of Gowrie, and the latter married to one of the Earl's ſiſters.

A conjecture concerning the intention of the conſpirators.

WHICHSOEVER of theſe oppoſite ſyſtems we embrace; whether we impute the intention of murder to Gowrie, or to the King; inſuperable difficulties ariſe, and we are involved in darkneſs, myſtery, and contradictions. Perhaps the ſource of the whole conſpiracy ought to be ſearched for deeper, and by deriving it from a more remote cauſe, we may diſcover it to be leſs criminal.

in of theſe two, and the Queen of Scots dealing with them, and ſending away and furniſhing Mrs. Beatrix [their ſiſter] with ſuch information as Sir Thomas Erſkine has given, hath bred great ſuſpicion in the King of Scots that they come not in but upon ſome dangerous plot." In another letter, January 1, 1603. "The day of writing my laſt, Mrs. Beatrix Ruthven was brought by the Lady Paiſley, and Mrs. of Angus, as one of their gentlewomen into the court in the evening, and ſtowed in a chamber prepared for her by the Queen's direction, where the Queen had much time and conference with her. Of this the King got notice, and ſhewed his diſlike thereof to the Queen, gently reproving her for it, and examining quietly of the Queen's ſervants of the ſame, and of other matters thereunto belonging, with ſuch diſcretion and ſecrecy as requires ſuch a matter."

To

To keep the King of Scots in continual dependance, was one great object of Elizabeth's policy. In order to this, she sometimes soothed him; and sometimes bribed his Ministers and favourites; and when she failed of attaining her end by these means, she encouraged the Clergy to render any administration which she distrusted unpopular, by decrying it, or stirred up some faction of the nobles to oppose and to overturn it. In that fierce age, men little acquainted with the arts of undermining a Ministry by intrigue, had recourse to the ruder practice of rendering themselves masters of the King's person, that they might thereby obtain the directions of his councils. Those nobles, who seized the King at the *Raid of Ruthven*, were instigated and supported by Elizabeth. Bothwell, in all his wild attempts, enjoyed her protection, and when they miscarried, he was secure of retreat in her dominions. The connexions which James had been forming of late with the Roman Catholic Princes, his secret negotiations in England with her subjects, and the maxims by which he governed his own kingdom, all contributed to excite her jealousy. She dreaded some great revolution in Scotland to be approaching, and it was her interest to prevent it. The Earl of Gowrie was one of the most powerful of the Scottish nobles, and descended from ancestors warmly attached to the English interest. He had adopted the same system, and believed the welfare of his country to be inseparably connected with the subsistence of the alliance between the two kingdoms. During his residence at Paris, he had contracted

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contracted an intimate friendſhip with Sir Henry Neville the Queen's ambaſſador there, and was recommended by him to his court, as a perſon of whom great uſe might be made[y]. Elizabeth received him, as he paſſed through England, with diſtinguiſhed marks of reſpect and favour. From all theſe circumſtances a ſuſpicion may ariſe, that the plan of the conſpiracy againſt the King was formed at that time, in concert with her. Such a ſuſpicion prevailed in that age, and from the letters of Nicholſon, Elizabeth's agent in Scotland, it appears not to be deſtitute of foundation. An Engliſh ſhip was obſerved hovering, for ſome time, in the mouth of the frith of Forth. The Earl's two younger brothers fled into England after the ill ſucceſs of the conſpiracy, and were protected by Elizabeth. James himſelf, though he prudently concealed it, took great umbrage at her behaviour. None, however, of Elizabeth's intrigues in Scotland tended to hurt the King's perſon, but only to circumſcribe his authority, and to thwart his ſchemes. His life was the ſureſt ſafe-guard of her own, and reſtrained the Popiſh pretenders to her Crown, and their abettors, from deſperate attempts, to which their impatience and bigotry might, otherwiſe, have urged them on. To have encouraged Gowrie to murder his Sovereign, would, on her part, have been an act of the utmoſt imprudence. Nor does this ſeem to have been the intention of the two brothers. Mr. Ruthven, firſt of all, endeavoured to decoy the King to Perth, without

[y] Winw. i. 156.

any

any attendants. When theſe proved more numerous than was expected, the Earl employed a ſtratagem in order to ſeparate them from the King, by pretending that he had rode away towards Falkland, and by calling haſtily for their horſes, that they might follow him. By their ſhutting James up, meanwhile, in a diſtant corner of the houſe, and by attempting to bind his hands, their deſign ſeems to have been rather to ſeize, than to aſſaſſinate him. Though Gowrie had not collected his followers in ſuch numbers as to have been able to detain him long a priſoner, in that part of the kingdom, by open force, he might ſoon have been conveyed aboard the Engliſh ſhip, which waited perhaps to receive him, and he might have been landed at Faſt-Caſtle, a houſe of Logan's, in which, according to many obſcure hints in his letters, ſome rendezvous of the conſpirators was to be held. Amidſt the ſurpriſe and terror, into which the King muſt have been thrown by the violence offered to him, it was extremely natural for him to conclude that his life was fought. It was the intereſt of all his followers to confirm him in this belief, and to magnify his danger, in order to add to the importance and merit of their own ſervices. Thus his fear, and their vanity, aided by the credulity and wonder which the contemplation of any great and tragical event, when not fully underſtood, is apt to inſpire, augmented the whole tranſaction. On the other hand, the extravagance and improbability of the circumſtances which were added, detracted from the credit of thoſe which really happened;

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and even furnished pretences for calling in question the truth of the whole conspiracy.

1600. Many disbelieve the account published by the King.

The account of what had happened at Perth reached Edinburgh next morning. The privy council commanded the Ministers of that city instantly to assemble their people; and after relating to them the circumstances of the conspiracy formed against the King's life, to return public thanks to God, for the protection which he had so visibly afforded him. But as the first accounts transmitted to Edinburgh, written in a hurry, and while the circumstances of the conspiracy were but imperfectly known, and the passions which it excited strongly felt, were indistinct, exaggerated, and contradictory, the Ministers laid hold of this; and though they offered to give public thanks to God for the King's safety, they refused to enter into any detail of particulars, or to utter from the chair of truth, what appeared to be still dubious and uncertain.

A few days after, the King returned to Edinburgh; and though Galloway, the Minister of his own chapel, made an harangue to the people at the public cross, in which he recited all the circumstances of the conspiracy; though James himself, in their hearing, confirmed his account; though he commanded a narrative of the whole transaction to be published; the Ministers of that city, as well as many of their brethren, still continued incredulous and unconvinced. Their high esteem of Gowrie, their jealousy of every part of the King's conduct, added to some false and many improbable circumstances in the narrative, not only

only led them to suspect the whole, but gave their suspicions an air of credibility. But at length, the King, partly by arguments, partly by threats, prevailed on all of them, except Mr. Robert Bruce, to own that they were convinced of the truth of the conspiracy. He could be brought no further than to declare, that he reverenced the King's account of the transaction, but could not say that he himself was persuaded of the truth of it. The scruples or obstinacy of a single man would have been little regarded; but as the same spirit of incredulity began to spread among the people, the example of one in so high reputation for integrity and abilities, was extremely dangerous. The King was at the utmost pains to convince and to gain Bruce, but finding it impossible to remove his doubts, he deprived him of his benefice, and after repeated delays, and many attempts towards a reconcilement, banished him the kingdom[z].

Proceedings of Parliament against the conspirators.

The proceedings of Parliament were not retarded by any scruples of this sort. The dead bodies of the two brothers were produced there, according to law; an indictment for High Treason was preferred against them; witnesses were examined; and, by an unanimous sentence, their estates and honours were forfeited; the punishment due to traitors was inflicted on their dead bodies; and, as if the punishment hitherto in use did not express sufficient detestation of their crimes, the Parliament enacted that the surname of Ruthven should be abolished; and in order to preserve the

[z] Spotsw. 461, &c. Cald. v. 389, &c.

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memory of the King's miraculous escape, and to declare the sense which the nation had of the divine goodness, to all future ages, appointed the fifth of August to be observed, annually, as a day of public thanksgiving[a].

THOUGH

[a] A few weeks after the death of the two brothers, the King published a *discourse of their vile and unnatural conspiracy against his life*. In the year 1713, George Earl of Cromertie published an "Historical account of the conspiracy by the Earl of "Gowrie, and Robert Logan of Restalrig, against King James "VI." He seems not to have seen the account which the King himself had given of that matter, and borrows the whole historical part from Spotswood and other authors; but he has extracted from the public records the depositions of the witnesses produced by the King's Council, in order to make good the charge against the two brothers, and Logan their associate. From these two treatises our knowledge of all the material circumstances of the conspiracy is derived. The evidence which they contain, one would expect to be authentic and decisive. An account of a fact, still recent, published by royal authority, and the original depositions of persons examined in presence of the highest court in the nation, ought to convey a degree of evidence seldom attained in historical relations, and to exclude all remaining doubt and uncertainty. But as every thing with regard to this transaction is dark and problematical, the King's account and the depositions of the witnesses not only vary, but contradict each other in so many circumstances, that much room is still left for hesitation and historical scepticism. The testimony of Henderson is the fullest and most important, but in several particulars the King's account and his are contradictory. I. According to the King's account, while Mr. Ruthven was holding the dagger at his breast, "the fellow in the study stood quaking and trembling." Disc. 17. But Henderson says, that he himself wrested the dagger out of Mr. Ruthven's hands. Disc. 53. Crom. 50. Henderson likewise boasted to his wife, that he had that day twice saved the King from being stabbed. Disc. 54. Crom. 53.

II. The

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1601. Essex's conspiracy against Elizabeth.

THOUGH Gowrie's conspiracy occasioned a sudden and a great alarm, it was followed by no consequences of importance; and having been concerted by the two brothers, either without any associates, or

II. The King asserts that Henderson opened the window during Mr. Ruthven's absence. Disc. 23. Henderson depose that he was only attempting to open it when Mr. Ruthven returned, and that during the struggle between the King and him, he opened it. Disc. 53, 54. Crom. 51, 52. III. If we may believe the King, the fellow in the study stood, during the struggle, behind the King's back, inactive and trembling all the time. Disc. 27. But Henderson affirms, that he snatched away the garter with which Mr. Ruthven attempted to bind the King; that he pulled back Ruthven's hand, while he was endeavouring to stop the King's mouth, and that he opened the window. Disc. 54. Crom. 52. IV. By the King's account, Mr. Ruthven left him in the study, and went away in order to meet with his brother, and the Earl came up the stairs for the same purpose. Disc. 23. Henderson depose, that when Mr. Ruthven left the King, "he believes that he did not pass from the door." Crom. 51. It is apparent both from the situation of the house, and from other circumstances, that there could not possibly have been any interview between the brothers at this time. Disc. 23.

Henderson was twice examined, first at Falkland before the privy council in August, and next at Edinburgh before the parliament in November. Not to mention some lesser variations between these depositions, we shall point out two which are remarkable. In his first deposition Mr. Henderson relates the most material circumstance of the whole in these words: "Mr. Ruthven pulled out the deponent's dagger, and "held the same to his Majesty's breast, saying, *remember* "*you of my father's murder; you shall now die for it*, and "minting to his Highness's heart, with the dagger, the "deponent threw the same out of Mr. Ruthven's hands, and "swore that as God shall judge his soul, that if Mr. Ruth-"ven had retained the dagger in his hand, the space a man "may go six steps, he would have stricken the King to the

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or with such as were unknown, and chose to remain so, the danger was over, as soon as discovered. But not long after, a conspiracy broke out in England against

"hilts with it." Disc. 52. But at his second examination he varied from this in two material circumstances. First, the words which he at that time put in Mr. Ruthven's mouth while he held the dagger at the King's breast are, "*Sir, you* "*must be my prisoner; remember on my father's death.*" Secondly, when he threatened him with death, it was only to deter him from making any noise, "*Hold your tongue, or by* "*Christ you shall die.*" 2. In his first deposition, the words of Mr. Ruthven, when he returned to the chamber where he had left the King, are, "*There is no remedy, by God you* "*must die.*" But in his second deposition, "By God there "is no remedy, and offered to bind his Majesty's hands." Crom. 51. The material words *you must die* are omitted. The first deposition seems plainly to intimate that it was Ruthven's intention to murder the King. The second would lead us to conclude that he had no other design than to detain him as a prisoner.

There are likewise some remarkable contradictions in the testimonies of the other witnesses. 1. In the discourse published by authority, it is insinuated that the tumult of the inhabitants was raised against the king, and that it required some art to pacify them. Disc. 32. The Duke of Lennox confirms this in his deposition. Crom. 44. An act of privy council summoning the Magistrates of Perth to answer for that riot is still extant. And yet Andrew Roy, one of the baillies of the town, deposes, that he himself raised the people, and that they took arms in order to assist the King. Crom. 66. 2. Henderson deposes, that he gave an evasive answer to Mr. John Moncrief, who enquired where he had been that morning, because the Earl had commanded him not to let any man know that he had been at Falkland. Disc. 54. Moncrief deposes to the same purpose. Crom. 64. And yet George Hay, afterwards Lord Kinnoul, and Chancellor of Scotland, and Peter Hay, depose, that the Earl, in their presence, asked Henderson, "Whom he found with the King

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againſt Elizabeth, which, though the firſt danger was inſtantly diſpelled, produced tragical effects, that rendered the cloſe of that Queen's reign diſmal and unhappy. As James was deeply intereſted in that event, it merits our particular notice.

The court of England was at this time divided between two powerful factions, which contended for the ſupreme direction of affairs. The leader of the one was Robert D'Evreux, Earl of Eſſex; Sir Robert Cecil, the ſon of Lord Treaſurer Burleigh, was at the head of the other. The former was the moſt accompliſhed and the moſt popular of all the Engliſh nobles; brave, generous, affable; though impetuous, yet willing to liſten to the counſels of thoſe whom he loved; an avowed, but not an implacable enemy; a friend no leſs conſtant than warm; incapable of diſguiſing his own ſentiments, or of miſrepreſenting thoſe of others; better fitted for a camp than for a court; and of a genius that qualified him for the firſt place in the adminiſtration, with a ſpirit which ſcorned the ſecond as below his merit. He was ſoon diſtinguiſhed by the Queen, who, with a profuſion uncommon to her, conferred on him, even in his earlieſt youth, the higheſt honours. Nor did this diminiſh the eſteem and affection of his countrymen; but, by a rare felicity, he was at once the favourite of his Sovereign, and the

King at Falkland?" Crom. 70, 71. Which queſtion ſeems to prove that he did not aim at keeping that journey a ſecret. In the Collection of Criminal Trials, publiſhed by Mr. Arnot in 1785, the evidence againſt the two brothers has been conſidered with great attention. P. 20, &c.

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darling of the people. Cecil, on the other hand, educated in a court, and trained under a father deeply ſkilled in all its arts, was crafty, inſinuating, induſtrious; and though poſſeſſed of talents which fitted him for the higheſt offices, he did not rely upon his merit alone for attaining them, but availed himſelf of every advantage, which his own addreſs, or the miſtakes of others, afforded him. Two ſuch men were formed to be rivals and enemies. Eſſex deſpiſed the arts of Cecil as low and baſe. To Cecil, the Earl's magnanimity appeared to be preſumption and folly. All the military men, except Raleigh, favoured Eſſex. Moſt of the courtiers adhered to Cecil, whoſe manners more nearly reſembled their own.

His correſpondence with the Scottiſh King.

As Elizabeth advanced in years, the ſtruggle between theſe factions became more violent. Eſſex, in order to ſtrengthen himſelf, had early courted the friendſhip of the King of Scots, for whoſe right of ſucceſſion he was a zealous advocate, and held a cloſe correſpondence both with him and with his principal Miniſters. Cecil, devoted to the Queen alone, roſe daily to new honours by the aſſiduity of his ſervices, and the patience with which he expected the reward of them; while the Earl's high ſpirit and impetuoſity ſometimes expoſed him to checks from a Miſtreſs, who, though partial in her affection toward him, could not eaſily bear contradiction, and who conferred favours often unwillingly, and always ſlowly. His own ſolicitations, however, ſeconded maliciouſly by his enemies, who wiſhed to remove him at a diſtance from court, advanced him to the command

mand of the army employed in Ireland againſt Tyronne, and to the office of Lord Lieutenant of that kingdom, with a commiſſion almoſt unlimited. His ſucceſs in that expedition did not equal either his own promiſes, or the expectations of Elizabeth. The Queen, peeviſh from her diſappointment, and exaſperated againſt Eſſex by the artifices of his enemies, wrote him a harſh letter, full of accuſations and reproaches. Theſe his impatient ſpirit could not bear, and, in the firſt tranſports of his reſentment, he propoſed to carry over a part of his army into England, and, by driving his enemies from the Queen's preſence, to reinſtate himſelf in favour and in power. But upon more mature thoughts he abandoned this raſh deſign, and, ſetting ſail with a few officers devoted to his perſon, landed in England, and poſted directly to court. Elizabeth received him without any ſymptom either of affection or of diſpleaſure. By proper compliances and acknowledgments, he might have regained his former aſcendant over the Queen. But he thought himſelf too deeply injured to ſubmit to theſe. Elizabeth, on the other hand, determined to ſubdue his haughty temper; and though her ſeverity drew from him the moſt humble letters, ſhe confined him to the Lord Keeper's houſe, and appointed commiſſioners to try him, both for his conduct during his government of Ireland, and for leaving that kingdom without her permiſſion. By their ſentence, he was ſuſpended from all his offices, except that of Maſter of the horſe, and continued a priſoner during the Queen's pleaſure. Satisfied

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with having mortified his pride thus far, Elizabeth did not suffer the sentence to be recorded, and soon after allowed him to retire to his own house. During these transactions, which occupied several months, Essex fluctuated between the allegiance he owed to his Sovereign, and the desire of revenge; and sometimes leaned to the one, and sometimes to the other. In one of the intervals when the latter prevailed, he sent a messenger into Scotland, to encourage the King to assert his own right to the succession by force of arms, and to promise that, besides the assistance of the Earl and all his friends in England, Lord Mountjoy, now Lord Lieutenant of Ireland, would join him with five thousand men from that kingdom. But James did not chuse to hazard the losing a kingdom, of which he was just about to obtain possession, by a premature attempt to seize it. Mountjoy, too, declined the enterprise, and Essex adopted more dutiful schemes; all thoughts of ambition appearing to be totally effaced out of his mind.

James's cautious conduct.

The wild attempts of Essex.

This moderation, which was merely the effect of disgust and disappointment, was not of long continuance; and the Queen, having not only refused to renew a lucrative grant which she had formerly bestowed, but even to admit him into her presence, that new injury drove a temper, naturally impatient, and now much fretted, to absolute despair. His friends, instead of soothing his rage, or restraining his impetuosity, added to both by their imprudent and interested zeal. After many anxious consultations, he determined to attempt to

to redreſs his wrongs by violence. But being conſcious how unpopular ſuch an enterpriſe would be, if it appeared to proceed from motives of private revenge alone, he endeavoured to give it the ſemblance of public utility, by mingling the King of Scotland's intereſt with his own. He wrote to James, that the faction which now predominated in the Engliſh court had reſolved to ſupport the pretenſions of the Infanta of Spain to the crown; that the places of the greateſt importance in the kingdom were put into the hands of his avowed enemies; and that unleſs he ſent ambaſſadors, without delay, to inſiſt on the immediate declaration of his right of ſucceſſion, their meaſures were ſo well concerted, that all his hopes would be deſperate. James, who knew how diſagreeable ſuch a propoſal would be to the Queen of England, was not willing raſhly to expoſe himſelf to her diſpleaſure. Eſſex, nevertheleſs, blinded by reſentment, and impatient for revenge, abandoned himſelf to theſe paſſions, and acted like a man guided by frenzy or deſpair. With two or three hundred followers incompletely armed, he attempted to aſſault a throne the beſt eſtabliſhed in Europe. Sallying at their head out of his own houſe, he called on the citizens of London, if they either valued his life, or wiſhed to preſerve the kingdom from the dominion of the Spaniards, to take arms, and to follow his ſtandard. He advanced towards the palace with an intention to drive Cecil and his faction out of the Queen's preſence, and to obtain a declaration of the Scottiſh King's right of ſucceſſion[b]. But, though

[b] Birch, Mem. ii. 477.

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almoſt adored by the citizens, not a man would join him in this wild enterpriſe. Diſpirited by their indifference, deſerted by ſome of his own attendants, and almoſt ſurrounded by the troops, which marched under different leaders into the city, he retreated to his own houſe; and without any bold effort, ſuitable to his preſent condition, or worthy of his former reputation for courage, he ſurrendered to his enemies.

As ſoon as James heard of Eſſex's ill ſucceſs, he appointed the Earl of Mar, and Bruce, Abbot of Kinloſs, to repair as his Ambaſſadors to the Court of England. The former of theſe was the perſon by whoſe means Eſſex had carried on his correſpondence with the King. He was a paſſionate admirer of the Earl's character, and diſpoſed to attempt every thing that could contribute to his ſafety. Bruce, united in a cloſe friendſhip with Mar, was ready to ſecond him with equal zeal. Nor was the purpoſe of the embaſſy leſs friendly to Eſſex, than the choice of his Ambaſſadors; they were commanded to ſolicit, in the warmeſt manner, for the Earl's life, and if they found that the King, by avowing his friends, could either promote their deſigns, or contribute to their ſafety, they were impowered to lay aſide all diſguiſe, and to promiſe that he would put himſelf at their head, and claim what was due to him by force of arms[c]. But before the Ambaſſadors could reach London, Eſſex had ſuffered the puniſhment which he merited by his treaſon. Perhaps the fear of their interpoſing, in order to

His death.

[c] Johnſt. 289. Birch. Mem. ii. 510.

obtain

obtain his pardon, haſtened his death. Elizabeth continued, for ſome time, irreſolute concerning his fate, and could not bring herſelf to conſign into the hands of the executioner, a man who had once poſſeſſed her favour ſo entirely, without a painful ſtruggle between her reſentment againſt his late miſconduct, and her ancient affection towards him. The diſtreſs to which he was now reduced, tended naturally to ſoften the former, while it revived the latter with new tenderneſs; and the interceſſion of one faithful friend, who had intereſt with the Queen, might perhaps have ſaved his life, and have procured him a remiſſion, which, of herſelf, ſhe was aſhamed to grant. But this generous nobleman had at that time no ſuch friend. Elizabeth, ſolicited inceſſantly by her Miniſters, and offended with the haughtineſs of Eſſex, who, as ſhe imagined, ſcorned to ſue for pardon, at laſt commanded the ſentence to be put in execution. No ſooner was the blow ſtruck, than ſhe repented of her own raſhneſs, and bewailed his death with the deepeſt ſorrow. James always conſidered him as one who had fallen a martyr to his ſervice, and after his acceſſion to the Engliſh throne, reſtored his ſon to his honours, as well as all his aſſociates in the conſpiracy, and diſtinguiſhed them with his favour[d].

James continues his intrigues in England.

THE Scottiſh Ambaſſadors, finding that they had arrived too late to execute the chief buſineſs committed to their charge, not only concealed that part of their inſtructions with the utmoſt

[d] Camd. Spotſw. 464.

care;

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care; but congratulated the Queen, in their Master's name, on her happy escape from such an audacious conspiracy. Elizabeth, though no stranger to the King's correspondence with Essex, or to that nobleman's intentions of asserting James's right to the Crown, was not willing that these should be known to the people, and, for that reason, received the congratulations of the Scottish Ambassadors with all possible marks of credit and good will; and in order to sooth James, and to preserve the appearances of union between the two courts, increased the subsidy which she paid him annually. The Ambassadors resided for some time in England, and were employed, with great success, in renewing and extending the intrigues, which Bruce had formerly entered into with the English nobles. As Elizabeth advanced in years, the English turned their eyes more and more towards Scotland, and were eager to prevent each other in courting the favour of their future Monarch. Assurances of attachment, professions of regard, and promises of support, were offered to James from every corner of the kingdom. Cecil himself, perceiving what hopes Essex had founded on the friendship of the Scottish King, and what advantages he might have derived from it, thought it prudent to stand no longer at a distance from a Prince, who might so soon become his master. But being sensible at the same time how dangerous such an intercourse might prove, under a Mistress naturally jealous, and whose jealousy grew stronger with old age; though he entered into a correspondence with him, he carried

carried it on with all the ſecrecy and caution neceſſary in his ſituation, and peculiar to his character. James having gained the man whoſe oppoſition and influence he had hitherto chiefly dreaded, waited, in perfect ſecurity, till that event ſhould happen, which would open his way to the throne of England[e]. It was with ſome difficulty that he reſtrained within proper bounds his adherents in that kingdom, who, labouring to diſtinguiſh themſelves by that officious zeal, with which a Prince, who has a near proſpect of mounting the throne, is always ſerved, urged him to allow a motion to be made in Parliament for declaring his right of ſucceſſion to the Crown. James prudently diſcouraged that deſign; but it was with no ſmall ſatisfaction that he obſerved the aſcendant he was acquiring in a court, the dictates of which he had been ſo long obliged to obey; and which had either preſcribed or thwarted every ſtep he had taken during the whole courſe of his reign[f].

[e] Dr. Birch, in his life of Prince Henry, p. 232, has given ſome account of the myſterious mode in which this correſpondence was carried on, and how the letters were conveyed from London to Dublin, and from thence to Scotland. Notwithſtanding the ſolicitude which Cecil repeatedly diſcovers, that his letters ſhould be deſtroyed as ſoon as the King had read them, a conſiderable number of them has been preſerved, and publiſhed by Sir David Dalrymple in the year 1766. They were written by Lord Henry Howard, under the inſpection of Cecil, in a ſtyle affectedly obſcure. The whole correſpondence is more curious than inſtructive.

[f] Spotſw. 467. 471. Birch. Mem. ii. 514.

BOOK VIII.

1602. Attempts to civilize the Highlanders.

NOTWITHSTANDING the violent ſtruggles of the political factions which divided the court, and the frequent revolutions which had happened there, ſince the King firſt took the reins of government into his own hands, Scotland had enjoyed unuſual tranquillity, being undiſturbed by any foreign enemy, and free from any inteſtine commotion of long continuance. During this period, James endeavoured to civilize the Highlands and the Iſles, a part of his dominions too much neglected by former Monarchs, though the reformation of it was an object highly worthy of their care. The long peace with England had afforded an opportunity of ſubduing the licentious ſpirit of the borderers, and of reſtraining their depredations, often no leſs ruinous to their countrymen than to their enemies. The inhabitants of the Low Country began, gradually, to forget the uſe of arms, and to become attentive to the arts of peace. But the Highlanders, retaining their natural fierceneſs, averſe from labour, and inured to rapine, infeſted their more induſtrious neighbours by their continual incurſions. James, being ſolicitous not only to repreſs their inroads, but to render them uſeful ſubjects[z], had at different times enacted many wiſe laws extremely conducive to theſe ends. All landlords, or chiefs of Clans, were enjoined to permit no perſons to reſide in their eſtates, who could not find ſufficient ſurety for their good behaviour; they were required to make a liſt of all ſuſpicious perſons

[z] Baſil. Dor. 139.

under

under their jurisdiction, to bind themselves to deliver them to justice, and to indemnify those who should suffer by their robberies; and, in order to ascertain the faithful performance of these articles, the chiefs themselves were obliged to give hostages to the King, or to put pledges in his hands. Three towns, which might serve as a retreat for the industrious, and a nursery for arts and commerce, were appointed to be built in different parts of the Highlands; one in Cantire, another in Lochaber, and a third in the isle of Lewis; and in order to draw the inhabitants thither, all the privileges of Royal Boroughs were to be conferred upon them. Finding it, however, to be no easy matter to inspire the inhabitants of those countries with the love of industry, a resolution was taken to plant among them colonies of people from the more industrious counties. The first experiment was made in the isle of Lewis; and as it was advantageously situated for the fishing trade, a source from which Scotland ought naturally to derive great wealth, the colony transported thither was drawn out of Fife, the inhabitants of which were well skilled in that branch of commerce. But before they had remained there long enough to manifest the good effects of this institution, the islanders, enraged at seeing their country occupied by those intruders, took arms, and surprising them in the night-time, murdered some of them, and compelled the rest to abandon the settlement. The King's attention being soon after turned to other objects, we hear no more of this salutary project. Though James

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did not purſue the deſign with that ſteady application and perſeverance, without which it is impoſſible to change the manners of a whole people, he had the glory, however, not only of having firſt conceived the thoughts, but of having firſt pointed out the proper method of introducing the civil arts of life into that part of the iſland[h].

Elizabeth's laſt illneſs and death.

AFTER having long enjoyed a good ſtate of health, the effect of a ſound conſtitution, and the reward of uncommon regularity and temperance, Elizabeth began this winter to feel her vigour decreaſe, and to be ſenſible of the infirmities of old age. Having removed on a very ſtormy day from Weſtminſter to Richmond, whither ſhe was impatient to retire, her complaints increaſed. She had no formed fever; her pulſe was good; but ſhe eat little, and could not ſleep. Her diſtemper ſeemed to proceed from a deep melancholy, which appeared both in her countenance and behaviour. She delighted in ſolitude, ſhe ſat conſtantly in the dark; and was often drowned in tears.

1603. January 31.

No ſooner was the Queen's indiſpoſition known, than perſons of all ranks, and of all different ſects and parties, redoubled their applications to the King of Scots, and vied with each other in profeſſions of attachment to his perſon, and in promiſes of ſubmiſſion to his government. Even ſome of Elizabeth's own ſervants, weary of the length of her reign, fond of novelty, impatient to get rid of the burthen of gratitude for paſt benefits, and expecting to ſhare in the liberality of

[h] Parl. 1587. 1594. 1597. Spotſw. 468.

a new

a new Prince, began to desert her. And crowds of people hurried towards Scotland, eager to preoccupy the favour of the successor, or afraid of being too late in paying homage to him.

Meanwhile, the Queen's disease increased, and her melancholy appeared to be settled and incurable. Various conjectures were formed concerning the causes of a disorder, from which she seemed to be exempted by the natural cheerfulness of her temper. Some imputed it to her being forced, contrary to her inclination, to pardon the Earl of Tyronne, whose rebellion had for many years created her much trouble. Others imagined that it arose from observing the ingratitude of her courtiers, and the levity of her people, who beheld her health declining with most indecent indifference, and looked forward to the accession of the Scottish King, with an impatience which they could not conceal. The most common opinion, at that time, and perhaps the most probable, was, that it flowed from grief for the Earl of Essex. She retained an extraordinary regard for the memory of that unfortunate nobleman; and though she often complained of his obstinacy, seldom mentioned his name without tears[1]. An accident happened soon after her retiring to Richmond, which revived her affection with new tenderness, and embittered her sorrows. The Countess of Nottingham, being on her deathbed, desired to see the Queen, in order to reveal something to her, without discovering which, she

[1] Birch. Mem. ii. 505.

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could not die in peace. When the Queen came into her chamber, she told her, that while Essex lay under sentence of death, he was desirous of imploring pardon in the manner which the Queen herself had prescribed, by returning a ring, which during the height of his favour she had given him, with a promise that if, in any future distress, he sent that back to her as a token, it should intitle him to her protection; that Lady Scroop was the person he intended to employ in order to present it; that, by a mistake, it was put into her hands instead of Lady Scroop's; and that she having communicated the matter to her husband, one of Essex's most implacable enemies, he had forbid her either to carry the ring to the Queen, or to return it to the Earl. The Countess, having thus disclosed her secret, begged the Queen's forgiveness; but Elizabeth, who now saw both the malice of the Earl's enemies, and how unjustly she had suspected him of inflexible obstinacy, replied, "God may forgive you, but I never can;" and left the room in great emotion [k]. From that moment,

[k] This anecdote concerning Elizabeth was first published by Osborne, Mem. of Eliz. p. 23; is confirmed by the testimony of de Maurier, Mem. 260, and by the traditional evidence of Lady Elizabeth Spelman published by Dr. Birch, Negoc. 106. Camden mentions the Queen's grief for Essex's death as one of the causes of her melancholy. Some original papers remain which prove that this was commonly believed at the time. Birch. Mem. ii. 506. Essex, however, had been beheaded two years before her death, and there seems to have been no other reason, but that which we have assigned, why her sorrows should revive with so much violence at so great a distance of time. As the death of the Countess of Nottingham happened

moment, her ſpirit ſunk entirely; ſhe could ſcarce taſte food; ſhe refuſed all the medicines preſcribed by her phyſicians; declaring that ſhe wiſhed to die, and would live no longer. No intreaty could prevail on her to go to bed; ſhe ſat on cuſhions, during ten days and nights, penſive and ſilent, holding her finger almoſt continually in her mouth, with her eyes open, and fixed on the ground. The only thing to which ſhe ſeemed to give any attention, were the acts of devotion performed in her apartment by the Archbiſhop of Canterbury; and in theſe ſhe joined with great appearance of fervour. Waſted, at laſt, as well by anguiſh of mind, as by long abſtinence, ſhe expired, without a ſtruggle, on Thurſday the twenty-fourth day of March, in the ſeventieth year of her age, and in the forty-fifth of her reign[1].

Her character.

FOREIGNERS often accuſe the Engliſh of indifference and diſreſpect towards their Princes. But without reaſon; no people are more grateful than

pened about a fortnight before the Queen's death, the coincidence of theſe events, together with the other evidence mentioned, adds ſo much probability to the ſtory related by Oſborne, as will entitle it to a place in hiſtory. The only objection to the account we have given of Elizabeth's attachment to Eſſex, ariſes from her great age. At the age of 68, the amorous paſſions are commonly abundantly cool, and the violence of all the paſſions, except one, is much abated. But the force of this objection is entirely removed by an author who has illuſtrated many paſſages in the Engliſh Hiſtory, and adorned more. Catalogue of Royal and Noble Authors, Article Eſſex.

[1] Camd. Birch. Mem. ii. 506. Birch. Negoc. 206. Strype, iv. 373.

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they to thoſe Monarchs who merit their gratitude. The names of Edward III. and Henry V. are mentioned by the Engliſh of this age with the ſame warmth as they were by thoſe who ſhared in the bleſſings and ſplendour of their reigns. The memory of Elizabeth is ſtill adored in England. The hiſtorians of that kingdom, after celebrating her love of her people; her ſagacity in diſcerning their true intereſt; her ſteadineſs in purſuing it; her wiſdom in the choice of her Miniſters; the glory ſhe acquired by arms; the tranquillity ſhe ſecured to her ſubjects; and the increaſe of fame, of riches, and of commerce, which were the fruits of all theſe; juſtly rank her among the moſt illuſtrious Princes. Even the defects in her character, they obſerve, were not of a kind pernicious to her people. Her exceſſive frugality was not accompanied with the love of hoarding; and though it prevented ſome great undertakings, and rendered the ſucceſs of others incomplete, it introduced œconomy into her adminiſtration, and exempted the nation from many burdens, which a Monarch, more profuſe or more enterpriſing, muſt have impoſed. Her ſlowneſs in rewarding her ſervants ſometimes diſcouraged uſeful merit; but it prevented the undeſerving from acquiring power and wealth, to which they had no title. Her extreme jealouſy of thoſe Princes who pretended to diſpute her right to the Crown, led her to take ſuch precautions, as tended no leſs to the public ſafety, than to her own; and to court the affections of her people, as the firmeſt ſupport of her throne.

Such is the picture which the Engliſh draw of this great Queen.

WHOEVER undertakes to write the Hiſtory of Scotland, finds himſelf obliged, frequently, to view her in a very different, and in a leſs amiable light. Her authority in that kingdom, during the greater part of her reign, was little inferior to that which ſhe poſſeſſed in her own. But this authority, acquired at firſt by a ſervice of great importance to the nation, ſhe exerciſed in a manner extremely pernicious to its happineſs. By her induſtry in fomenting the rage of the two contending factions; by ſupplying the one with partial aid; by feeding the other with falſe hopes; by balancing their power ſo artfully, that each of them was able to diſtreſs, and neither of them to ſubdue the other; ſhe rendered Scotland long the ſeat of diſcord, confuſion, and bloodſhed: And her craft and intrigues, effecting what the valour of her anceſtors could not accompliſh, reduced that kingdom to a ſtate of dependance on England. The maxims of policy, often little conſonant to thoſe of morality, may, perhaps, juſtify this conduct. But no apology can be offered for her behaviour to Queen Mary; a ſcene of diſſimulation without neceſſity; and of ſeverity beyond example. In almoſt all her other actions, Elizabeth is the object of our higheſt admiration; in this we muſt allow that ſhe not only laid aſide the magnanimity which became a Queen, but the feelings natural to a woman.

James proclaimed King of England.

THOUGH Elizabeth would never permit the queſtion concerning the right of ſucceſſion to the

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Crown to be determined in parliament; nor declare her own ſentiments concerning a point which ſhe wiſhed to remain an impenetrable myſtery; ſhe had, however, formed no deſign of excluding the Scottiſh King from an inheritance to which his title was undoubted. A ſhort time before her death, ſhe broke the ſilence which ſhe had ſo long preſerved on that ſubject, and told Cecil and the Lord Admiral, "That her throne was the throne of Kings; that ſhe would have no mean perſon to aſcend it, and that her couſin the King of Scots ſhould be her ſucceſſor." This ſhe confirmed on her death-bed. As ſoon as ſhe breathed her laſt, the lords of the Privy Council proclaimed James King of England. All the intrigues carried on by foreigners in favour of the Infanta, all the cabals formed within the kingdom to ſupport the titles of Lady Arabella and the Earl of Hartford, diſappeared in a moment; the nobles, and people, forgetting their ancient hoſtilities with Scotland, and their averſion for the dominion of ſtrangers, teſtified their ſatisfaction with louder acclamations than were uſual at the acceſſion of their native princes. Amidſt this tumult of joy, a motion made by a few patriots, who propoſed to preſcribe ſome conditions to the ſucceſſor, and to exact from him the redreſs of ſome grievances, before they called him to the throne, was ſcarcely heard; and Cecil, by ſtifling it, added to his ſtock of merit with his new maſter. Sir Charles Percy, brother of the Earl of Northumberland, and Thomas Somerſet, the Earl of Worceſter's ſon, were diſpatched to Scotland, with

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with a letter to the King, signed by all the Peers and Privy Counsellors then in London; informing him of the Queen's death, of his accession to the throne, of their care to recognize his title, and of the universal applause with which the public proclamation of it had been attended. They made the utmost haste to deliver this welcome message; but were prevented by the zeal of Sir Robert Carey, Lord Hunsdon's youngest son, who setting out a few hours after Elizabeth's death, arrived at Edinburgh on Saturday night, just as the King had gone to bed. He was immediately admitted into the royal apartment, and kneeling by the King's bed, acquainted him with the death of Elizabeth, saluted him king of England, Scotland, France, and Ireland, and as a token of the truth of the intelligence which he brought, presented him a ring, which his sister Lady Scroop had taken from the Queen's finger after her death. James heard him with a decent composure. But as Carey was only a private messenger, the information which he brought was not made public, and the King kept his apartment till the arrival of Percy and Somerset. Then his titles were solemnly proclaimed; and his own subjects expressed no less joy, than the English, at this increase of his dignity. As his presence was absolutely necessary in England, where the people were extremely impatient to see their new Sovereign, he prepared to set out for that kingdom without delay. He appointed his Queen to follow him within a few weeks. He committed the government of Scotland to his Privy Council.

He

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He intrusted the care of his children to different noblemen. On the Sunday before his departure, he repaired to the church of St. Giles, and after hearing a sermon, in which the preacher displayed the greatness of the divine goodness in raising him to the throne of such a powerful kingdom without opposition or bloodshed, and exhorted him to express his gratitude, by promoting, to the utmost, the happiness and prosperity of his subjects; the King rose up, and addressing himself to the people, made many professions of unalterable affection towards them; promised frequently to visit Scotland; assured them that his Scottish subjects, notwithstanding his absence, should feel that he was their native Prince, no less than when he resided among them; and might still trust that his ears should be always open to their petitions, which he would answer with the alacrity and love of a parent. His words were often interrupted by the tears of the whole audience; who, though they exulted at the King's prosperity, were melted into sorrow by these tender declarations[m].

Takes possession of the throne.

On the fifth of April he began his journey, with a splendid, but not a numerous train; and next day he entered Berwick. Wherever he came, immense multitudes were assembled to welcome him; and the principal persons in the different counties through which he passed, displayed all their wealth and magnificence in entertainments prepared for him at their houses. Elizabeth had reigned so long in England, that most of her subjects re-

[m] Spotsw. 476.

membered

membered no other court but hers; and their notions of the manners and decorums suitable to a prince were formed upon what they had observed there. It was natural to apply this standard to the behaviour and actions of their new Monarch, and to compare him, at first sight, with the Queen, on whose throne he was to be placed. James, whose manners were extremely different from hers, suffered by the comparison. He had not that flowing affability, by which Elizabeth captivated the hearts of her people; and, though easy among a few whom he loved, his indolence could not bear the fatigue of rendering himself agreeable to a mixed multitude. He was no less a stranger to that dignity with which Elizabeth tempered her familiarity. And, instead of that well-judged frugality with which she conferred titles of honour, he bestowed them with an undistinguished profusion, that rendered them no longer marks of distinction, or rewards of merit. But these were the reflections of the few alone; the multitude continued their acclamations; and, amidst these, James entered London on the 7th of May, and took peaceable possession of the throne of England. 1603.

Conclusion.

THUS were united two kingdoms, divided from the earliest accounts of time, but destined, by their situation, to form one great monarchy. By this junction of its whole native force, Great Britain hath risen to an eminence and authority in Europe, which England and Scotland could never have attained.

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1603. A view of the Revolutions in the conſtitution of Scotland ſince the acceſſion of James VI.

THE Scots had ſo long conſidered their monarchs as next heirs to the Engliſh throne, that they had full leiſure to reflect on all the conſequences of their being advanced to that dignity. But, dazzled with the glory of giving a Sovereign to their powerful enemy, relying on the partiality of their native Prince, and in full expectation of ſharing liberally in the wealth and honours which he would now be able to beſtow, they attended little to the moſt obvious conſequences of that great event, and rejoiced at his acceſſion to the throne of England, as if it had been no leſs beneficial to the kingdom, than honourable to the King. They ſoon had reaſon, however, to adopt very different ſentiments; and from that period we may date a total alteration in the political conſtitution of Scotland.

THE feudal Ariſtocracy, which had been ſubverted in moſt nations of Europe by the policy of their Princes, or had been undermined by the progreſs of commerce, ſtill ſubſiſted with full force in Scotland. Many cauſes had contributed gradually to augment the power of the Scottiſh nobles; and even the Reformation, which in every other country where it prevailed added to the authority of the Monarch, had increaſed their wealth and influence. A King poſſeſſed of a ſmall revenue, with a prerogative extremely limited, and unſupported by a ſtanding army, could not exerciſe much authority over ſuch potent ſubjects. He was obliged to govern by expedients; and the laws derived their force not from his power to execute them, but from the voluntary ſubmiſ-

ſion of the nobles. But though this produced a ſpecies of government extremely feeble and irregular; though Scotland, under the name, and with all the outward enſigns of a monarchy, was really ſubject to an Ariſtocracy, the people were not altogether unhappy; and even in this wild form of a conſtitution, there were principles, which tended to their ſecurity and advantage. The King, checked and overawed by the nobles, durſt venture upon no act of arbitrary power. The nobles, jealous of the King, whoſe claims and pretenſions were many, though his power was ſmall, were afraid of irritating their dependants by unreaſonable exactions, and tempered the rigour of ariſtocratical tyranny, with a mildneſs and equality to which it is naturally a ſtranger. As long as the military genius of the feudal government remained in vigour, the vaſſals both of the Crown and of the Barons were generally not only free from oppreſſion, but were courted by their ſuperiors, whoſe power and importance were founded on their attachment and love.

But, by his acceſſion to the throne of England, James acquired ſuch an immenſe acceſſion of wealth, of power, and of ſplendour, that the nobles, aſtoniſhed and intimidated, thought it vain to ſtruggle for privileges which they were now unable to defend. Nor was it from fear alone that they ſubmitted to the yoke; James, partial to his countrymen, and willing that they ſhould partake in his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power, in taming their

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their fierce and independent ſpirits. The will of the Prince became the ſupreme law in Scotland; and the nobles ſtrove, with emulation, who ſhould moſt implicitly obey commands, which they had formerly been accuſtomed to contemn. Satisfied with having ſubjected the nobles to the Crown, the King left them in full poſſeſſion of their ancient juriſdiction over their own vaſſals. The extenſive rights, veſted in a feudal Chief, became in their hands dreadful inſtruments of oppreſſion, and the military ideas, on which theſe rights were founded, being gradually loſt or diſregarded, nothing remained to correct or to mitigate the rigour with which they were exerciſed. The nobles, exhauſting their fortunes by the expence of frequent attendance upon the Engliſh court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, multiplied exactions upon the people, who durſt hardly utter complaints which they knew would never reach the ear of their Sovereign, nor move him to grant them any redreſs. From the union of the Crowns to the revolution in 1688, Scotland was placed in a political ſituation, of all others the moſt ſingular, and the moſt unhappy; ſubjected at once to the abſolute will of a Monarch, and to the oppreſſive juriſdiction of an Ariſtocracy, it ſuffered all the miſeries peculiar to both theſe forms of government. Its Kings were deſpotic; its nobles were ſlaves and tyrants; and the people groaned under the rigorous domination of both.

During this period, the nobles, it is true, made one effort to ſhake off the yoke, and to regain their ancient

ancient independency. After the death of James, the Scottiſh nation was no longer viewed by our Monarchs with any partial affection. Charles I. educated among the Engliſh, diſcovered no peculiar attachment to the kingdom of which he was a native. The nobles, perceiving the ſceptre to be now in hands leſs friendly, and ſwayed by a Prince with whom they had little connexion, and over whoſe councils they had little influence, no longer ſubmitted with the ſame implicit obedience. Provoked by ſome encroachments of the King on their order, and apprehenſive of others, the remains of their ancient ſpirit began to appear. They complained and remonſtrated. The people being, at the ſame time, violently diſguſted at the innovations in religion, the nobles ſecretly heightened this diſguſt; and their artifices, together with the ill-conduct of the court, raiſed ſuch a ſpirit, that the whole nation took arms againſt their Sovereign, with an union and animoſity of which there had formerly been no example. Charles brought againſt them the forces of England, and notwithſtanding their own union, and the zeal of the people, the nobles muſt have ſunk in the ſtruggle. But the diſaffection which was growing among his Engliſh ſubjects, prevented the King from acting with vigour. A civil war broke out in both kingdoms; and after many battles and revolutions, which are well known, the Scottiſh nobles, who firſt began the war, were involved in the ſame ruin with the throne. At the Reſtoration, Charles II. regained full poſſeſſion of the royal prerogative in Scotland;

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land; and the nobles, whoſe eſtates were waſted, or their ſpirit broken, by the calamities to which they had been expoſed, were leſs able and leſs willing than ever to reſiſt the power of the Crown. During his reign, and that of James VII. the dictates of the Monarch were received in Scotland with moſt abject ſubmiſſion. The poverty to which many of the nobles were reduced, rendered them meaner ſlaves, and more intolerable tyrants, than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to thoſe adopted by their Princes.

THE Revolution introduced other maxims into the government of Scotland. To increaſe the authority of the Prince, or to ſecure the privileges of the nobles, had hitherto been almoſt the ſole object of our laws. The rights of the people were hardly ever mentioned, were diſregarded, or unknown. Attention began, henceforward, to be paid to the welfare of the people. By the *claim of right*, their liberties were ſecured; and the number of their repreſentatives being increaſed, they gradually acquired new weight and conſideration in parliament. As they came to enjoy more ſecurity and greater power, their minds began to open, and to form more extenſive plans of commerce, of induſtry, and of police. But the ariſtocratical ſpirit, which ſtill predominated, together with many other accidents, retarded the improvement and happineſs of the nation.

ANOTHER

ANOTHER great event completed what the Revolution had begun. The political power of the nobles, already broken by the union of the two Crowns, was almoſt annihilated by the union of the two kingdoms. Inſtead of making a part, as formerly, of the ſupreme aſſembly of the nation, inſtead of bearing the moſt conſiderable ſway there, the Peers of Scotland are admitted into the Britiſh parliament by their repreſentatives only, and form but an inconſiderable part of one of thoſe bodies in which the legiſlative authority is veſted. They themſelves are excluded abſolutely from the houſe of Commons, and even their eldeſt ſons are not permitted to repreſent their countrymen in that auguſt aſſembly. Nor have their feudal privileges remained, to compenſate for this extinction of their political authority. As commerce advanced in its progreſs, and government attained nearer to perfection, theſe were inſenſibly circumſcribed, and at laſt, by laws no leſs ſalutary to the public, than fatal to the nobles, they have been almoſt totally aboliſhed. As the nobles were deprived of power, the people acquired liberty. Exempted from burdens, to which they were formerly ſubject, ſcreened from oppreſſion, to which they had been long expoſed, and adopted into a conſtitution whoſe genius and laws were more liberal than their own, they have extended their commerce, refined their manners, made improvements in the elegancies of life, and cultivated the arts and ſciences.

THIS ſurvey of the political ſtate of Scotland, in which events and their cauſes have been men-

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tioned rather than developed, enables us to point out three æras, from each of which we may date ſome great alteration in one or other of the three different members of which the ſupreme legiſlative aſſembly in our conſtitution is compoſed. At their *Acceſſion* to the throne of England, the Kings of Scotland, once the moſt limited, became, in an inſtant, the moſt abſolute Princes in Europe, and exerciſed a deſpotic authority, which their parliaments were unable to controul, or their nobles to reſiſt. At the *Union* of the two kingdoms, the feudal ariſtocracy, which had ſubſiſted ſo many ages, and with power ſo exorbitant, was overturned, and the Scottiſh nobles having ſurrendered rights and pre-eminences peculiar to their order, reduced themſelves to a condition which is no longer the terror and envy of other ſubjects. *Since the Union*, the Commons, anciently neglected by their Kings, and ſeldom courted by the nobles, have emerged into dignity; and, being admitted to a participation of all the privileges which the Engliſh had purchaſed at the expence of ſo much blood, muſt now be eſteemed a body not leſs conſiderable in the one kingdom, than they have long been in the other.

THE church felt the effects of the abſolute power which the King acquired by his acceſſion; and its revolutions, too, are worthy of notice. James, during the latter years of his adminiſtration in Scotland, had revived the name and office of Biſhops. But they poſſeſſed no eccleſiaſtical juriſdiction or pre-eminence; their revenues were inconſiderable,

and they were ſcarcely diſtinguiſhed by any thing but by their ſeat in parliament, and by being the object of the clergy's jealouſy, and the people's hatred. The King, delighted with the ſplendour and authority which the Engliſh Biſhops enjoyed, and eager to effect an union in eccleſiaſtical policy, which he had, in vain, attempted in the civil government, reſolved to bring both Churches to an exact conformity with each other. Three Scotſmen were conſecrated Biſhops at London. From them, their brethren were commanded to receive orders. Ceremonies unknown in Scotland were impoſed; and though the Clergy, leſs obſequious than the nobles, boldly oppoſed theſe innovations, James, long practiſed and well-ſkilled in the arts of managing them, obtained at length their compliance. But Charles I. a ſuperſtitious Prince, unacquainted with the genius of the Scots, imprudent and precipitant in all the meaſures he purſued in that kingdom, preſſing too eagerly the reception of the Engliſh liturgy, and indiſcreetly attempting a reſumption of Church lands, kindled the flames of civil war; and the people being left at liberty to indulge their own wiſhes, the Epiſcopal church was overturned, and the Preſbyterian government and diſcipline were re-eſtabliſhed with new vigour. Together with Monarchy, Epiſcopacy was reſtored in Scotland. A form of government, ſo odious to the people, required force to uphold it; and though not only the whole rigour of authority, but all the barbarity of perſecution were employed in its ſupport, the averſion of the nation was inſurmountable, and it ſubſiſted

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with difficulty. At the Revolution, the inclinations of the people were thought worthy the attention of the legiſlature, the Preſbyterian government was again eſtabliſhed, and, being ratified by the Union, is ſtill maintained in the kingdom.

Nor did the influence of the Acceſſion extend to the civil and eccleſiaſtical conſtitutions alone; the genius of the nation, its taſte and ſpirit, things of a nature ſtill more delicate, were ſenſibly affected by that event. When learning revived in the fifteenth and ſixteenth centuries, all the modern languages were in a ſtate equally barbarous, devoid of elegance, of vigour, and even of perſpicuity. No author thought of writing in languages ſo ill adapted to expreſs and embelliſh his ſentiments, or of erecting a work for immortality, with ſuch rude and periſhing materials. As the ſpirit, which prevailed at that time, did not owe its riſe to any original effort of the human mind, but was excited by admiration of the ancients, their compoſitions were deemed not only the ſtandards of taſte and of ſentiment, but of ſtyle; and even the languages in which they wrote were thought to be peculiar, and almoſt conſecrated to learning and the muſes. Not only the manner of the ancients was imitated, but their language copied: and, extravagant as the attempt may appear, to write in a dead tongue, in which men were not accuſtomed to think, and which they could not ſpeak, or even pronounce, the ſucceſs of it was aſtoniſhing. As they formed their ſtyle upon the pureſt models; as they were uninfected with thoſe barbariſms, which the inaccuracy

accuracy of familiar converſation, the affectation of courts, intercourſe with ſtrangers, and a thouſand other cauſes introduce into living languages; many moderns have attained to a degree of elegance in their Latin compoſitions, which the Romans themſelves ſcarce poſſeſſed beyond the limits of the Auguſtan age. While this was almoſt the only ſpecies of compoſition, and all authors, by uſing one common language, could be brought to a nearer compariſon, the Scottiſh writers were not inferior to thoſe of any other nation. The happy genius of Buchanan, equally formed to excel in proſe and in verſe, more various, more original, and more elegant, than that of almoſt any other modern who writes in Latin, reflects, with regard to this particular, the greateſt luſtre on his country.

But the labour attending the ſtudy of a dead tongue was irkſome; the unequal return for their induſtry which authors met with, who could be read and admired only within the narrow circle of the learned, was mortifying; and men, inſtead of waſting half their lives in learning the language of the Romans, began to refine and to poliſh their own. The modern tongues were found to be ſuſceptible of beauties and graces, which, if not equal to thoſe of the ancient ones, were at leaſt more attainable. The Italians having firſt ſet the example, Latin was no longer uſed in the works of taſte; it was confined to books of ſcience; and the politer nations have baniſhed it even from theſe. The Scots, we may preſume, would have had no cauſe to regret this

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change in the public taſte, and would ſtill have been able to maintain ſome equality with other nations, in their purſuit of literary honour. The Engliſh and Scottiſh languages, derived from the ſame ſources, were, at the end of the ſixteenth century, in a ſtate nearly ſimilar, differing from one another ſomewhat in orthography, though not only the words, but the idioms were much the ſame. The letters of ſeveral Scottiſh ſtateſmen of that age are not inferior in elegance, or in purity, to thoſe of the Engliſh Miniſters with whom they correſponded. James himſelf was maſter of a ſtyle far from contemptible; and, by his example and encouragement, the Scottiſh language might have kept pace with the Engliſh in refinement. Scotland might have had a ſeries of authors in its own, as well as in the Latin language, to boaſt of; and the improvements in taſte, in the arts, and in the ſciences, which ſpread over the other poliſhed nations of Europe, would not have been unknown there.

But, at the very time when other nations were beginning to drop the uſe of Latin in works of taſte, and to make trial of the ſtrength and compaſs of their own languages, Scotland ceaſed to be a kingdom. The tranſports of joy, which the Acceſſion at firſt occaſioned, were ſoon over: and the Scots, being at once deprived of all the objects that refine or animate a people; of the preſence of their Prince, of the concourſe of nobles, of the ſplendour and elegance of a court, an univerſal dejection of ſpirit ſeems to have ſeized the nation. The Court being withdrawn, no do-

meſtic

meſtic ſtandard of propriety and correctneſs of ſpeech remained; the few compoſitions that Scotland produced were tried by the Engliſh ſtandard, and every word or phraſe that varied in the leaſt from that, was condemned as barbarous; whereas, if the two nations had continued diſtinct, each might have retained idioms and forms of ſpeech peculiar to itſelf; and theſe, rendered faſhionable by the example of a court, and ſupported by the authority of writers of reputation, might have been conſidered in the ſame light with the varieties occaſioned by the different dialects in the Greek tongue; might have been conſidered as beauties; and, in many caſes, might have been uſed promiſcuouſly by the authors of both nations. But, by the Acceſſion, the Engliſh naturally became the ſole judges and lawgivers in language, and rejected as ſoleciſms, every form of ſpeech to which their ear was not accuſtomed. Nor did the Scots, while the intercourſe between the two nations was inconſiderable[n], and ancient

[n] A remarkable proof of the little intercourſe between the Engliſh and Scots before the union of the Crowns, is to be found in two curious papers, one publiſhed by Haynes, the other by Strype. In the year 1567, Elizabeth commanded the Biſhop of London to take a ſurvey of all the ſtrangers within the cities of London and Weſtminſter. By this report, which is very minute, it appears that the whole number of Scots at that time was 58. Haynes, 455. A ſurvey of the ſame kind was made by Sir Thomas Row, Lord Mayor, A. D. 1568. The number of Scots had then increaſed to 88. Strype, iv. Supplement, No. I. On the acceſſion of James, a conſiderable number of Scots, eſpecially of the higher rank, reſorted to England; but it was not till the Union that the intercourſe between the two kingdoms became great.

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prejudices were ſtill ſo violent as to prevent imitation, poſſeſs the means of refining their own tongue according to the purity of the Engliſh ſtandard. On the contrary, new corruptions flowed into it from every different ſource. The Clergy of Scotland, in that age, were more eminent for piety than for learning; and though there did not ariſe many authors among them, yet being in poſſeſſion of the privilege of diſcourſing publicly to the people, and their ſermons being too long, and perhaps too frequent, ſuch haſty productions could not be elegant, and many ſlovenly and incorrect modes of expreſſion may be traced back to that original. The pleadings of lawyers were equally looſe and inaccurate, and that profeſſion having furniſhed more authors, and the matters of which they treat mingling daily in common diſcourſe and buſineſs, many of thoſe vicious forms of ſpeech, which are denominated *Scotticiſms*, have been introduced by them into the language. Nor did either the language or public taſte receive any improvement in Parliament, where a more liberal and more correct eloquence might have been expected. All buſineſs was tranſacted there by the Lords of Articles, and they were ſo ſervilely devoted to the Court, that few debates aroſe, and, prior to the Revolution, none were conducted with the ſpirit and vigour natural to a popular aſſembly.

Thus, during the whole ſeventeenth century, the Engliſh were gradually refining their language and their taſte; in Scotland the former was much debaſed, and the latter almoſt entirely loſt. In the beginning of that period, both nations were emerging

emerging out of barbarity; but the diſtance between them, which was then inconſiderable, became, before the end of it, immenſe. Even after ſcience had once dawned upon them, the Scots ſeemed to be ſinking back into ignorance and obſcurity; and, active and intelligent as they naturally are, they continued, while other nations were eager in the purſuit of fame and knowledge, in a ſtate of languor. This, however, muſt be imputed to the unhappineſs of their political ſituation, not to any defect of genius; for no ſooner was the one removed in any degree, than the other began to diſplay itſelf. The act aboliſhing the power of the Lords of Articles, and other ſalutary laws paſſed at the Revolution, having introduced freedom of debate into the Scottiſh Parliament, eloquence, with all the arts that accompany or perfect it, became immediate objects of attention; and the example of Fletcher of Salton alone is ſufficient to ſhew that the Scots were ſtill capable of generous ſentiments, and, notwithſtanding ſome peculiar idioms, were able to expreſs themſelves with energy, and with elegance.

At length the Union having incorporated the two nations, and rendered them one people, the diſtinctions which had ſubſiſted for many ages gradually wear away; peculiarities diſappear; the ſame manners prevail in both parts of the iſland; the ſame authors are read and admired; the ſame entertainments are frequented by the elegant and polite; and the ſame ſtandard of taſte, and of purity in language, is eſtabliſhed. The Scots, after being

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being placed, during a whole century, in a situation no less fatal to the liberty than to the taste and genius of the nation, were at once put in possession of privileges more valuable than those which their ancestors had formerly enjoyed; and every obstruction that had retarded their pursuit, or prevented their acquisition of literary fame, was totally removed.

A CRI-

A CRITICAL

DISSERTATION

CONCERNING

The Murder of King HENRY, and the Genuineneſs of the Queen's Letters to Bothwell.

IT is not my intention to engage in all the controverſies to which the murder of King Henry, or the letters from Queen Mary to Bothwell, have given riſe; far leſs to appear as an adverſary to any particular author, who hath treated of them. To repeat, and to expoſe all the ill-founded aſſertions with regard to theſe points, which have flowed from inattention, from prejudice, from partiality, from malevolence, and from diſhoneſty, would be no leſs irkſome to myſelf, than unacceptable to moſt of my readers. All I propoſe, is to aſſiſt others in forming ſome judgment concerning the facts in diſpute, by ſtating the proofs produced on each ſide, with as much brevity as the caſe will admit, and with the ſame attention and impartiality which I have endeavoured to exerciſe in examining other controverted points in the Scottiſh hiſtory.

IN order to account for the King's murder, two different ſyſtems have been formed. The one ſuppoſes Bothwell to have contrived and executed this

this crime. The other imputes it to the Earls of Murray, Morton, and their party.

The deciſion of many controverted facts in hiſtory, is a matter rather of curioſity than of uſe. They ſtand detached; and whatever we determine with regard to them, the fabric of the ſtory remains untouched. But the fact under diſpute in this place is a fundamental and eſſential one, and according to the opinion which an hiſtorian adopts with regard to it, he muſt vary and diſpoſe the whole of his ſubſequent narration. An hiſtorical ſyſtem may be tried in two different ways, whether it be conſiſtent with probability, and whether it be ſupported by proper evidence.

Those who charge the King's murder upon Bothwell, argue in the following manner; and though their reaſonings have been mentioned already in different places of the narrative, it is neceſſary to repeat them here. Mary's love for Darnly, ſay they, was a ſudden and youthful paſſion. The beauty of his perſon, ſet off by ſome external frivolous accompliſhments, was his chief merit. His capricious temper ſoon raiſed in the Queen a diſguſt, which broke out on different occaſions. His engaging in the conſpiracy againſt Rizio, converted this diſguſt into an indignation, which ſhe was at no pains to conceal. This breach was perhaps, in its own nature, irreparable; the King certainly wanted that art and condeſcenſion which alone could have repaired it. It widened every day, and a deep and ſettled hatred effaced all remains of affection. Bothwell obſerved this, and was prompted by ambition,

and

and perhaps by love, to found upon it a ſcheme, which proved fatal both to the Queen and to himſelf. He had ſerved Mary at different times with fidelity and ſucceſs. He inſinuated himſelf into her favour, by addreſs and by flattery. By degrees he gained her heart. In order to gratify his love, or at leaſt his ambition, it was neceſſary to get rid of the King. Mary had rejected the propoſal made to her for obtaining a divorce. The King was equally hated by the partiſans of the houſe of Hamilton, a conſiderable party in the kingdom; by Murray, one of the moſt powerful and popular perſons in his country; by Morton and his aſſociates, whom he had deceived; and whom Bothwell had bound to his intereſt by a recent favour. Among the people Darnly was fallen under extreme contempt. Bothwell might expect, for all theſe reaſons, that the murder of the King would paſs without any inquiry, and might truſt to Mary's love, and to his own addreſs and good fortune, for the accompliſhment of the reſt of his wiſhes. What Bothwell expected really came to paſs. Mary, if not privy herſelf to the deſign, connived at an action which rid her of a man whom ſhe had ſuch good reaſon to deteſt. A few months after the murder of her huſband, ſhe married the perſon who was both ſuſpected and accuſed of having perpetrated that odious crime.

Those who charge the guilt upon Murray and his party reaſon in this manner. Murray, they ſay, was a man of boundleſs ambition. Notwithſtanding the illegitimacy of his birth, he had early

formed a deſign of uſurping the Crown. On the Queen's return into Scotland, he inſinuated himſelf into her favour, and engroſſed the whole power into his own hands. He ſet himſelf againſt every propoſal of marriage which was made to her, leſt his own chance of ſucceeding to the Crown ſhould be deſtroyed. He hated Darnly, and was no leſs hated by him. In order to be revenged on him, he entered into a ſudden friendſhip with Bothwell, his ancient and mortal enemy. He encouraged him to aſſaſſinate Henry, by giving him hopes of marrying the Queen. All this was done with a deſign to throw upon the Queen herſelf the imputation of being acceſſary to the murder, and under that pretext, to deſtroy Bothwell, to depoſe and impriſon her, and to ſeize the ſceptre which he had wreſted out of her hands.

The former of theſe ſyſtems has an air of probability, is conſiſtent with itſelf, and ſolves appearances. In the latter, ſome aſſertions are falſe, ſome links are wanting in the chain, and effects appear, of which no ſufficient cauſe is produced. Murray, on the Queen's return into Scotland, ſerved her with great fidelity, and by his prudent adminiſtration rendered her ſo popular, and ſo powerful, as enabled her with eaſe to quaſh a formidable inſurrection raiſed by the party of which he was the leader in the year 1565. What motive could induce Murray to murder a Prince without capacity, without followers, without influence over the nobles, whom the Queen, by her neglect, had reduced to the loweſt ſtate of contempt, and who, after a long diſgrace, had regained (according to the

the moſt favourable ſuppoſition) the precarious poſſeſſion of her favour only a few days before his death? It is difficult to conceive what Murray had to fear from the King's life. It is ſtill a more difficult matter to gueſs what he could gain by his death. If we ſuppoſe that the Queen had no previous attachment to Bothwell, nothing can appear more chimerical than a ſcheme to perſuade her to marry a man, whoſe wife was ſtill alive, and who was not only ſuſpected, but accuſed, of murdering her former huſband. But that ſuch a ſcheme ſhould really ſucceed is ſtill more extraordinary.—If Murray had inſtigated Bothwell to commit the crime, or had himſelf been acceſſary to the commiſſion of it, what hopes were there that Bothwell would ſilently bear from a fellow-criminal all the perſecutions which he ſuffered, without ever retorting upon him the accuſation, or revealing the whole ſcene of iniquity? An ancient and deadly feud had ſubſiſted between Murray and Bothwell; the Queen with difficulty had brought them to ſome terms of agreement. But is it probable that Murray would chuſe an enemy, to whom he had been ſo lately reconciled, for his confident in the commiſſion of ſuch an atrocious crime? Or, on the other hand, would it ever enter into the imagination of a wiſe man, firſt to raiſe his rival to ſupreme power, in hopes that afterwards he ſhould render him odious, by accuſing him of crimes which he had not committed, and, in conſequence of this unjuſt charge, ſhould be enabled to deprive him of that power? The moſt adventrous politician never hazarded ſuch a dangerous

gerous experiment. The moſt credulous folly never truſted ſuch an uncertain chance.

How ſtrong ſoever theſe general reaſonings may appear to be, it is not upon them alone that we muſt decide, but according to the particular evidence that is produced. This we now proceed to examine.

THAT Bothwell was guilty of the King's murder, appears, 1. From the concurring teſtimony of all the contemporary hiſtorians. 2. From the confeſſion of thoſe perſons who ſuffered for aſſiſting at the commiſſion of the crime, and who enter into a minute detail of all its circumſtances. Anderſ. ii. 165. 3. From the acknowledgment of Mary's own commiſſioners, who allow Bothwell to have been one of thoſe who where guilty of this crime. Good. ii. 213. 4. From the expreſs teſtimony of Leſly Biſhop of Roſs, to the ſame effect with the former. Def. of Q. Mary's Hon. And. i. 76. Id. iii. p. 31. 5. Morton, at his death, declared that Bothwell had ſolicited him, at different times, to concur in the conſpiracy formed againſt the life of the King; and that he was informed by Archibald Douglas, one of the conſpirators, that Bothwell was preſent at the murder. Crawf. Mem. App. 4. The letter from Douglas to the Queen, publiſhed in the Appendix to Vol. II. No. 14. confirms Morton's teſtimony. 6. Lord Herries promiſes, in his own name, and in the name of the nobles who adhered to the Queen, that they would concur in puniſhing Bothwell as the murderer of the King. Append. Vol. I. No. 24.

THE

The moſt direct charge ever brought againſt Murray is in theſe words of Biſhop Leſly. "Is "it unknown," addreſſing himſelf to the Earl of Murray, "what the Lord Herries ſaid to your "face openly, even at your own table, a few "days after the murder was committed? Did he "not charge you with the foreknowledge of the "ſame murder; did he not, *nulla circutione uſus*, "flatly and plainly burden you, that riding in "Fife, and coming with one of your moſt aſſured "and truſty ſervants the ſame day whereon you "departed from Edinburgh, ſaid to him, among "other talk, This night ere morning Lord "Darnly ſhall loſe his life?" Defence of Q. Mary, Anderſ. ii. 75. But the aſſertion of a man ſo heated with faction as Leſly, unleſs it were ſupported by proper evidence, is of little weight. The ſervant to whom Murray is ſaid to have ſpoken theſe words, is not named; nor the manner in which this ſecret converſation was brought to light mentioned. Lord Herries was one of the moſt zealous advocates for Mary, and it is remarkable that, in all his negociation at the court of England, he never once repeated this accuſation of Murray. In anſwering the challenge given him by Lord Lindſay, Herries had a fair opportunity of mentioning Murray's knowledge of the murder; but though he openly accuſes of that crime ſome of thoſe who adhered to Murray, he induſtriouſly avoids any inſinuation againſt Murray himſelf. Keith, Pref. xii. Mary herſelf, in converſation with Sir Francis Knolles, accuſed Morton and Maitland of being privy to the murder, but does not mention Murray. And. iv. 55. When the Biſhop of Roſs and Lord Herries

appeared before the Engliſh council, January 11, 1569, they declared themſelves ready, in obedience to the Queen's command, to accuſe Murray and his aſſociates of being acceſſory to the murder, but "they being alſo required, whether they, or any of them, as of themſelves, would "accuſe the ſaid Earl in ſpecial, or any of his adherents, or thought them guilty thereof;" they anſwered, "that they took God to witneſs that "none of them did ever know any thing of the "conſpiracy of that murder, or were in council and foreknowledge thereof; neither who "were deviſers, inventors, and executors of the "ſame, till it was publicly diſcovered long thereafter by ſome of the aſſaſſins, who ſuffered "death on that account." Good. ii. 308. Theſe words are taken out of a regiſter kept by Roſs and Herries themſelves, and ſeem to be a direct confutation of the Biſhop's aſſertion.

The Earls of Huntly and Argyll, in their *Proteſtation touching the murder of the King of Scots*, after mentioning the conference at Craigmillar concerning a divorce, add, "So after theſe premiſſes, the murder of the King following, we "judge in our conſciences, and hold for certain "and truth, that the Earl of Murray and ſecretary Lethington were authors, inventors, counſellors and cauſers of the ſame murder, in what "manner, or by whatſomever perſons the ſame "was executed." Anderſ. iv. 188. But, 1. This is nothing more than the private opinion or perſonal affirmation of theſe two noblemen. 2. The concluſion which they make has no connection with the premiſſes on which they found it. Becauſe Murray propoſed to obtain for the Queen a di-

vorce from her husband with her own consent, it does not follow that therefore he committed the murder without her knowledge. 3. Huntly and Argyll were at that time the leaders of that party opposite to Murray, and animated with all the rage of faction. 4. Both of them were Murray's personal enemies. Huntly, on account of the treatment which his family and clan had received from that nobleman. Argyll was desirous of being divorced from his wife, with whom he lived on no good terms, Knox, 328. and by whom he had no children. Crawf. Peer. 19. She was Murray's sister, and by his interest he had obstructed that design. Keith, 551. These circumstances would go far towards invalidating a positive testimony; they more than counterbalance an indeterminate suspicion. 5. It is altogether uncertain whether Huntly and Argyll ever subscribed this protestation. A copy of such a protestation as the Queen thought would be of advantage to her cause, was transmitted to them by her. Anders. iv. b. ii. 186. The protestation itself, published by Anderson, is taken from an unsubscribed copy with blanks for the date and place of subscribing. On the back of this copy is pasted a paper, which Cecil has marked "Answer of the Earl of Murray to a wri-" ting of the Earls of Huntly and Argyll." Anders. 194, 195. But it can hardly be deemed a reply to the above-mentioned protestation. Murray's answer bears date at London, January 19, 1568. The Queen's letter, in which she inclosed the copy of the protestation, bears date at Bowton, Jan. 5, 1568. Now it is scarce to be supposed that the copy could be sent into Scotland, be subscribed by the two Earls, and be seen and answered by

Murray within ſo ſhort a time. Murray's reply ſeems intended only to prevent the impreſſion which the vague and uncertain accuſations of his enemies might make in his abſence. Cecil had got the original of the Queen's letter into his cuſtody. Anderſ. iv. 185. This naturally leads us to conjecture that the letter itſelf, together with the incloſed proteſtation, were intercepted before they came to the hands of Huntly and Argyll. Nor is this mere conjecture alone. The letter to Huntly, in which the proteſtation was incloſed, is to be found; Cott. Lib. Cal. C. 1. fol. 280, and is an original ſubſcribed by Mary, though not written with her own hand, becauſe ſhe ſeldom choſe to write in the Engliſh language. The proteſtation is in the ſame volume, fol. 282, and is manifeſtly written by the ſame perſon who wrote the Queen's letter. This ſeems to render it highly probable that both were intercepted. So that much has been founded on a paper not ſubſcribed by the two Earls, and probably never ſeen by them. Beſides, this method which the Queen took of ſending a copy to the two Earls, of what was proper for them to declare with regard to a conference held in their own preſence, appears ſomewhat ſuſpicious. It would have been more natural, and not ſo liable to any miſinterpretation, to have deſired them to write the moſt exact account, which they could recollect, of what had paſſed at the converſation at Craigmillar. 6. But even if all this reaſoning ſhould be ſet aſide, and the authenticity of the *Proteſtation* ſhould be admitted in its full extent, it may ſtill be a queſtion, what degree of credit ſhould be given to the aſſertion of the two Earls, who were

not only preſent in the firſt Parliament, held by Murray as Regent in December 1567, in which the one carried the ſceptre, and the other the ſword of ſtate, Spotſw. 214. but were both members of the Committee of Lords of Articles, and in that capacity aſſiſted in framing all the acts by which the Queen was deprived of the crown, and her ſon ſeated on the throne; and in particular concurred in the act by which it was declared, that whatever had befallen the Queen, "was in her awin default, in ſa far as, be divers hir previe letters written halelie with hir awin hand, and ſend by hir to James ſometyme Erle of Bothwell, cheif executour of the ſaid horribill murthour, as weill befoir the committing thairof as thairaftir: And be hir ungodlie and diſhonourabill proceeding to ane pretendit marriage with him, ſuddaindlie and unprovifitlie thaireftir, it is maiſt certane that ſche was previe, airt and pairt, of the actual deviſe and deid of the foirnamit murthour of the King her lauchfull huſband, and thairfoir juſtlie deſirvis quhatſumever hes bene done to hir in ony tyme bygaine, or that ſal be uſit towards hir, for the ſaid cauſe." Anderſ. ii. 221.

The Queen's commiſſioners at the *Conferences* in England accuſed Murray and his aſſociates of having murdered the King. Good. ii. 281. But this charge is to be conſidered as a recrimination, extorted by the accuſation preferred againſt the Queen, and contains nothing more than looſe and general affirmations, without deſcending to ſuch articular circum-

ſtances as either aſcertain their truth, or diſcover their falſehood. The ſame accuſation is repeated by the nobles aſſembled at Dumbarton Sept. 1568. Good. ii. 359. And the ſame obſervation may be made concerning it.

All the Queen's advocates have endeavoured to account for Murray's murdering of the King, by ſuppoſing that it was done on purpoſe that he might have the pretence of diſturbing the Queen's adminiſtration, and thereby rendering ineffectual her general Revocation of Crown lands, which would have deprived him and his aſſociates of the beſt part of their eſtates. Leſly Def. of Mary's Hon. p. 73. Anderſ. iv. Part ii. 130. But whoever conſiders the limited powers of a Scottiſh Monarch, will ſee that ſuch a revocation could not be very formidable to the nobles. Every king of Scotland began his reign with ſuch a revocation; and as often as it was renewed, the power of the nobles rendered it ineffectual. The beſt vindication of Murray and his party from this accuſation, is that which they preſented to the Queen of England, and which hath never hitherto been publiſhed.

Paper Office.

Anſwers to the objections and alledgance of the Queen, alledging the Earl of Murray Lord Regent, the Earl of Morton, Marr, Glencairn, Hume, Ruthven, &c. to have been moved to armour, for that they abhorred and might not abide her revocation of the alienation made of her property.

It is anſwered, that is alledged but [i. e. without] all appearance, and it appears God has bereft

reſt the alledgance of all wit and good remembrance, for thir reaſons following:

IMPRIMIS, as to my Lord Regent, he never had occaſion to grudge thereat, in reſpect the Queen made him privy to the ſame, and took reſolution with him for the execution thereof, letting his Lordſhip know ſhe would aſſuredly in the ſamine except all things ſhe had given to him, and ratefy them in the next parliament as ſhe did indeed; and for that cauſe wiſhed my Lord to leave behind him Maſter John Wood, to attend upon the ſame, to whom ſhe declared, that alswell in that as in all others her grants it ſhould be provided, yea of free will did promiſe and offer before ever he demanded, as it came to paſs without any lett or impediment, for all was ratified by her command, and hand write, at the parliament, but [i. e. without] any difficulty.

ITEM as to my Lord of Morton, he could not grudge thereat quha never had of her property worth twenty dollars that ever I knew of.

Item the ſame, may I ſay of my Lord Glencairn.

Item the ſame, I may ſay of my Lord Hume.

Item the ſame, I may ſay of my Lord Ruthven.

Item the ſame, I may ſay of my Lord Lindſay.

ONLY my Lord of Marr, had ane little thing of the property quilk alſua was gladly and liberally confirmed to him, in the ſaid parliament preceeding a year; was never ane had any cauſe of miſcontent of that revocation, far leſs to have put their lives and heritage to ſo open and manifeſt ane danger as they did for ſic ane frivole cauſe.

Gyf ever any did make evill countenance, and ſhow any miſcontentment of the ſaid revocation, it was my Lord of Argyll in ſpeciall, quha ſpak largely in the time of Parliament thairanents to the Queen herſelf, and did complain of the manifeſt corruption of ane act of parliament paſt upon her Majeſty's return, and ſa did lett any revocation at that time; but the armour for revenge of the King's deid was not till twa months after, att quhat time there was no occaſion given thereof, nor never a man had mind thereof.

Having thus examined the evidence which has been produced againſt the Earls of Murray and Bothwell; we ſhall next proceed to inquire whether the Queen herſelf was acceſſory to the murder of her huſband.

No ſooner was the violent death of Darnly known, than ſtrong ſuſpicions aroſe, among ſome of her ſubjects, that Mary had given her conſent to the commiſſion of that crime. And. ii. 156. We are informed, by her own ambaſſador in France, the Archbiſhop of Glaſgow, that the ſentiments of foreigners, on this head, were no leſs unfavourable to her. Keith, Pref. ix. Many of her nobles loudly accuſed her of that crime, and a great part of the nation, by ſupporting them, ſeem to have allowed the accuſation to be well founded.

Some crimes, however, are of ſuch a nature, that they hardly admit of a poſitive or direct proof. Deeds of darkneſs can ſeldom be brought perfectly to light. Where perſons are accuſed not of being

being *Principals*, but only of being *Acceſſaries* in the commiſſion of a crime; not of having perpetrated it themſelves, but only of giving conſent to the commiſſion of it by others; the proof becomes ſtill more difficult: and unleſs when ſome accomplice betrays the ſecret, a proof by circumſtances, or preſumptive evidence, is all that can be attained. Even in judicial trials, ſuch evidence is ſometimes held to be ſufficient for condemning criminals. The degree of conviction which ſuch evidence carries along with it, is often not inferior to that which ariſes from poſitive teſtimony; and a concurring ſeries of circumſtances ſatisfies the underſtanding no leſs than the expreſs declaration of witneſſes.

Evidence of both theſe kinds has been produced againſt Mary. We ſhall firſt conſider that which is founded upon circumſtances alone.

Some of theſe ſuſpicious circumſtances preceded the King's death; others were ſubſequent to it. With regard to the former, we may obſerve that the Queen's violent love of Darnly was ſoon converted into an averſion to him no leſs violent; and that his own ill conduct, and exceſſes of every kind, were ſuch, that if they did not juſtify, at leaſt they account for this ſudden change of her diſpoſition towards him. The riſe and progreſs of this domeſtic rupture, I have traced with great care in the hiſtory, and to the proofs of it which may be found in papers publiſhed by other authors, I have added thoſe contained in App. No. XVI. and XVII. Le Croc, the French ambaſſador, who was an eye-witneſs of what he deſcribes,

ſcribes, not only repreſents her averſion to Darnly to be extreme, but declares that there could be no hopes of a reconcilement between them.

Dec. 12, 1566. "The Queen is in the hands of phyſicians, and I do aſſure you is not at all well; and do believe the principal part of her diſeaſe to conſiſt in deep grief and ſorrow; nor does it ſeem poſſible to make her forget the ſame. Still ſhe repeats theſe words, *I could wiſh to be dead.* You know very well that the injury ſhe has received is exceeding great, and her majeſty will never forget it—To ſpeak my mind freely to you, I do not expect, upon ſeveral accounts, any good underſtanding between them [i. e. the King and Queen],

Dec. 23. unleſs God effectually put to his hand.—His bad deportment is incurable; nor can there ever be any good expected from him, for ſeveral reaſons, which I might tell you was I preſent with you. I cannot pretend to foretell how all may turn, but I will ſay, that matters cannot ſubſiſt long as they are, without being accompanied with ſundry bad conſequences." Keith, Pref. vii. Had Henry died a natural death, at this juncture, it muſt have been conſidered as a very fortunate event to the Queen, and as a ſeaſonable deliverance from a huſband who had become altogether odious to her. Now as Henry was murdered a few weeks afterwards, and as nothing had happened to render the Queen's averſion to him leſs violent, the opinion of thoſe who conſider Mary as the author of an event which was manifeſtly ſo agreeable to her, will appear perhaps to ſome of our readers to be neither unnatural nor over-refined. If we add to this, what has been obſerved in the hiſtory, that

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in proportion to the increaſe of Mary's hatred of her huſband, Bothwell made progreſs in her favour, and that he became the object not only of her confidence but her attachment, that opinion acquires new ſtrength. It is eaſy to obſerve many advantages which might redound to Mary as well as to Bothwell from the King's death; but excepting them, no perſon, and no party in the kingdom could derive the leaſt benefit from that event. Bothwell, accordingly, murdered the the King, and it was, in that age, thought no unwarranted imputation on Mary's character, to ſuppoſe that ſhe had conſented to the deed.

The ſteps which the Queen took after her huſband's death add ſtrength to that ſuppoſition. 1. Melvil, who was in Edinburgh at the time of the King's death, aſſerts, that "every body ſuſpected the Earl of Bothwell; and thoſe who durſt ſpeak freely to others, ſaid plainly that it was He," p. 155. 2. Mary having iſſued a proclamation, on the 12th of February, offering a reward to any perſon who ſhould diſcover thoſe who had murdered her huſband; And. i. 36. a paper in conſequence of this was affixed to the gates of the Tolbooth, February 16, in which Bothwell was named as the chief perſon guilty of that crime, and the Queen herſelf was accuſed of having given her conſent to it. And. ii. 156. 3. Soon after, February 20, the Earl of Lennox, the King's father, wrote to Mary, conjuring her, by every motive, to proſecute the murderers with the utmoſt rigour. He plainly declared his own ſuſpicions of Bothwell, and pointed out a method of proceeding againſt him, and for diſcovering the

the other authors of that crime, no leſs obvious than equitable. He adviſed her to ſeize, and to commit to ſure cuſtody Bothwell himſelf, and ſuch as were already named as his accomplices; to call an aſſembly of the nobles; to iſſue a proclamation, inviting Bothwell's accuſers to appear; and if, on that encouragement, no perſon appeared to accuſe them, to hold them as innocent, and to diſmiſs them without farther trial. And. i. 40. 4. Archbiſhop Beatoun, her ambaſſador in France, in a letter to Mary, March 9th, employs arguments of the utmoſt weight to perſuade her to proſecute the murderers with the greateſt ſeverity. "I can conclude nathing (ſays he) by quhat zour Majeſty writes to me zourſelf, that ſen it has pleſit God to conſerve zow to make a rigorous vengeance thereof, that rather than it be not actually taine, it appears to me better in this warld that ze had loſt life and all. I aſk your Majeſtie pardon that I writ ſa far, for I can heir nathing to zour prejudiſe, but I *man* conſtraindly writ the ſamin, that all may come to zour knawlege; for the better remede may be put therto. Heir it is needfull that ze forth ſhaw now rather than ever of before, the greite vertue, magnanimitie, and conſtance that God has grantit zow, be quhais grace, I hope ze ſall overcome this moſt heavy envie and diſpleſir of the committing thereof, and conſerve that reputation in all godlineſs, ze have conquiſt of lang, quhich can appear na wayis mair clearlie, than that zow do *ſick* juſtice that the *haill* world may declare zour innocence, and give teſtimony forever of thair treaſon that has committed (*but* fear of God or man) ſo cruel

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and ungodlie a murther, quhairof there is ſa *meikle* ill ſpoken, that I am conſtrainit to aſk zow mercy, that neither can I or will I make the rehearſal therof, which is *owr* odious. But alas! Madame, all over Europe this day there is na purpoſe in head ſa frequent as of zour Majeſtie, and of the preſent ſtate of zour realm, quhilk is in the moſt part interpretit ſiniſterly." Keith, Pref. ix. 5. Elizabeth, as appears from Append. Vol. I. No. XIX. urged the ſame thing in ſtrong terms. 6. The circumſtances of the caſe itſelf, no leſs than theſe ſolicitations and remonſtrances, called for the utmoſt vigour in her proceedings. Her huſband had been murdered in a cruel manner, almoſt in her own preſence. Her ſubjects were filled with the utmoſt horror at that crime. Bothwell, one of her principal favourites, had been publicly accuſed as the author of it. Reflections, extremely diſhonourable to herſelf, had been thrown out. If indignation, and the love of juſtice, did not prompt her to purſue the murderers with ardour, decency, at leaſt, and concern for vindicating her own character, ſhould have induced her to avoid any appearance of remiſſneſs or want of zeal.

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But inſtead of this, Mary continued to diſcover, in all her actions, the utmoſt partiality towards Bothwell. On the 15th of February, five days after the murder, ſhe beſtowed on him the reverſion of the ſuperiority of the town of Leith, which in the year 1565 ſhe had mortgaged to the citizens of Edinburgh. This grant was of much importance, as it gave him not only the command of the principal port in the kingdom, but a great aſcendant

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over the citizens of Edinburgh, who wiſhed much to keep poſſeſſion of it[a]. 2. Bothwell being extremely

[a] *Copy from the original in the Charter-houſe of the city of Edinburgh of an Aſſignation to the reverſion of the ſuperiority of Leith by Queen Mary, to the Earl of Bothwell.*

Maria Dei gratia Regina Scotorum, omnibus probis hominibus ſuis ad quos præſentes literæ pervenerint ſalutem. Sciatis, quod nos ad memoriam reducentes multiplex bonum verum et fidele ſervitium, non tantum quondam noſtræ chariſſimæ matri Mariæ Reginæ regni noſtri pro tempore in noſtra minoritate factum et impenſum, verum etiam nobiſmet ipſis, tam intra partes Galliæ quam intra hoc noſtrum regnum, ad extentionem noſtri honoris et auctoritatis in punitione furum, malefactorum, et tranſgreſſorum infra idem, per noſtrum conſiſum conſanguineum et conſiliarium Jacobum comitem Bothuile, dominum Halis, Creighton et Liddiſdale, magnum admirallum regni noſtri, commiſſionem et onerationem ad hunc effectum habentem, per quas ipſe ſuum corpus et vitam in magno periculo poſuit; ac etiam, in performatione et extentione noſtri dicti ſervitii, ſuam hereditatem, ſupra ſummam viginti millium mercarum hujus noſtri regni, alienavit ac læſit. Et nos cogitantes quod, ex noſtra principali honore et devoria dictum noſtrum conſiſum conſanguineum & conſiliarium cum quodam accidente et gratitudine recompenſare et gratificare incumbit quæ nos commodè ſibi concedere poterimus, unde ipſe magis habilis omnibus affuturis temporibus eſſe poterit, et ad hujuſmodi performandum in omnibus cauſis ſeu eventibus: In recompenſationem quorum præmiſſorum, ac pro diverſis aliis noſtris rationabilibus cauſis et conſiderationibus nos moventibus, Fecimus, &c. dictum Jacobum comitem Bothuile, &c. ac ſuos hæredes maſculos quoſcunque noſtros legittimos, &c. aſſignatos in et ad literas reverſionis factas, &c. per Symonem Preſton de eodem militem, præpoſitum, balivos, conſules, et communitatem hujus noſtri burgi de Edinburgh, pro ſeipſis ac ſuis ſucceſſoribus, &c. nobis, noſtriſque heredibus, ſucceſſoribus, et aſſignatis pro redemptione, &c. ſuperioritatis totius villæ de Leith, &c. impignoratæ per nos dictis præpoſito, &c. ſub reverſione alienatæ continentis ſummam decem millium mercarum monetæ præſcriptæ numerandum

tremely desirous to obtain the command of the castle of Edinburgh, the Queen, in order to prevail on the Earl of Mar to surrender the government of it, offered to commit the young Prince to his custody. Mar consented; and she instantly appointed Bothwell governor of the castle. And. i. Pref. 64. Keith, 379. note *(d)*. 3. The inquiry into the murder, previous to Bothwell's trial, seems to have been conducted with the utmost remissness. Buchanan exclaims loudly against this. And. ii. 24. Nor was it without reason that he did so, as is evident from a circumstance in the affidavit of Thomas Nelson, one of the King's servants, who was in the house when his master was murdered, and was dug up alive out of the rubbish. Being examined on the Monday after the King's death, "This deponar schew that Bonkle had the key of the cellare, and the Queenis servandis the keyis of her shalmir. Quhilk the Laird of Tillibardin hearing, said, Hald thair, here is ane ground. Efter quhilk words spokin, thai left of, and procedit na farther in the inquisition." And. iv. p. 2. 167. Had there been any intention to search into the bottom of the matter, a circumstance of so much importance merited the most careful enquiry. 4. Notwithstanding Lennox's

merandum et calculandum in parochiali ecclesia de Edinburgh, super premonitione quadriginta dierum, ut moris est, veluti in dictis reversionis literis, &c. de data 8vo Octob. 1565, &c. (The rest is form, and contains a clause of absolute warrandice) IN CUJUS REI TESTIMONIUM præsentibus magnum sigillum nostrum apponi fecimus. Apud Edinburgh, decimo quinto die mensis Februarii, anno Domini millesimo quingentesimo sexagesimo sexto, et regni nostri vicesimo quinto.

The great seal entire.

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repeated ſolicitations, notwithſtanding the reaſonableneſs of his demands, and the neceſſity of complying with them, in order to encourage any accuſer to appear againſt Bothwell, ſhe not only refuſed to commit him to cuſtody, or even to remove him from her preſence and councils; And. i. 42. 48. but by the grants which we have mentioned, and by other circumſtances, diſcovered an increaſe of attachment to him. 5. She could not avoid bringing Bothwell to a public trial; but ſhe permitted him to ſit as a member in that meeting of the Privy Council which directed his own trial; and the trial itſelf was carried on with ſuch unneceſſary precipitancy, and with ſo many other ſuſpicious circumſtances, as render his acquittal rather an argument of his guilt than a proof of his innocence. Theſe circumſtances have all been mentioned at length, Vol. I. p. 416, &c. and therefore are not repeated in this place. 6. Two days after the trial, Mary gave a public proof of her regard for Bothwell, by appointing him to carry the ſceptre before her at the meeting of Parliament. Keith, 378. 7. In that Parliament, ſhe granted him a ratification of all the vaſt poſſeſſions and honours which ſhe had conferred upon him, in which was contained an ample enumeration of all the ſervices he had performed. And. i. 117. 8. Though Melvil, who foreſaw that her attachment to Bothwell would at length induce her to marry him, warned her of the infamy and danger which would attend that action, ſhe not only diſregarded this ſalutary admonition, but diſcovered what had paſſed between them to Bothwell, which expoſed Melvil to his reſentment. Melv. 156. 9. Bothwell ſeized Mary

Mary as she returned from Stirling, April 24. If he had done this without her knowledge and consent, such an insult could not have failed to have filled her with the most violent indignation. But according to the account of an old MS. "The friendly love was so highly contracted between this great Princess and her enormous subject, that there was no end thereof (for it was constantly esteemed by all men, that either of them loved other carnally), so that she suffered patiently to be led where the lover list, and all the way neither made obstacle, impediment, clamour, or resistance, as in such accidents use to be, or that she might have done by her princely authority, being accompanied with the noble Earl of Huntly and Secretary Maitland of Lethington." Keith, 383. Melvil, who was present, confirms this account, and tells us that the officer, by whom he was seized, informed him that nothing was done without the Queen's consent. Melv. 158. 10. On the 12th of May, a few days before her marriage, Mary declared that she was then at full liberty, and that though Bothwell had offended her by seizing her person, she was so much satisfied with his dutiful behaviour since that time, and so indebted to him for past services, that she not only forgave that offence, but resolved to promote him to higher honours. And. i. 87. 11. Even after the confederate nobles had driven Bothwell from the Queen's presence, and though she saw that he was considered as the murderer of her former husband by so great a part of her subjects, her affection did not in the least abate, and she continued to express the most unalterable attach-

ment to him. " I can perceive (ſays Sir N. Throkmorton) that the rigour with which the Queen is kept, proceedeth by order from theſe men, becauſe that the Queen will not by any means be induced to lend her authority to proſecute the murderer; nor will not conſent by any perſuaſion to abandon the Lord Bothwell for her huſband, but avoweth conſtantly that ſhe will live and die with him; and ſaith, that if it were put to her choice to relinquiſh her crown and kingdom, or the Lord Bothwell, ſhe would leave her kingdom and dignity to go a ſimple damſel with him, and that ſhe will never conſent that he ſhall fare worſe, or have more harm than herſelf." Append. to Vol. I. No. XXII. In all their negociations with Throkmorton, the Confederates mention this unalterable attachment of the Queen to Bothwell, as a ſufficient reaſon for rejecting his propoſals of an accommodation with their Sovereign. Keith, 419. 449. This aſſertion they renewed in the conferences at York. Anderſ. iv. part ii. p. 66. Murray, in his interview with Mary in Lochlevin, charged her with perſiſting in her inordinate affection to Bothwell. Keith, 446. All theſe, however, may be conſidered merely as accuſations brought by the Confederates, in order to vindicate their rigour towards the Queen. But Throkmorton, who, by his reſidence in Edinburgh, and by his intercourſe with the Queen's partizans, as well as with her enemies, had many opportunities of diſcovering whether or not Mary had expreſſed herſelf in ſuch terms, and who was diſpoſed to view her actions in the moſt favourable light, appears, by the paſſage which I have quoted from his letter

letter of the 14th of July, to be perſuaded that the Confederates had not miſrepreſented her ſentiments. He had ſoon an opportunity of being confirmed with greater certainty in this opinion. Although the Confederates had refuſed him acceſs to the captive Queen, he found means of holding a ſecret correſpondence with her, and endeavoured to perſuade her to give her conſent to have her marriage with Bothwell diſſolved by a ſentence of divorce, as the moſt probable means of regaining her liberty. She hath ſent me word that ſhe will in no wiſe conſent unto that, but rather die. Append. to Vol. I. No. XXII. There is evidence of the continuance of Mary's attachment ſtill more explicit. Lord Herries, in the Parliament held the 15th of December 1567, acknowledged the Queen's inordinate affection to that wicked man, and that ſhe could not be induced by perſuaſion to leave him; and that in ſequeſtering her within Lochlevin, the Confederates had done the duty of noblemen. App. to Vol. I. No. XXIV. In the year 1571 a conference was held by ſome deputies from a Convention of Clergy, with the Duke of Chatelherault, Secretary Maitland, Sir James Balfour, and Kirkaldy; and an account of it written by Mr. Craig, one of the Miniſters of Edinburgh, is extant in Calderwood MSS. Hiſt. ii. 244. In preſence of all theſe perſons, moſt of whom were in Edinburgh when the Queen was taken at Carberry, Maitland, who was now an avowed partizan of Mary, declares, that on the ſame night ſhe was brought to Edinburgh, he himſelf had offered that if ſhe would abandon Bothwell, ſhe ſhould

have as thankful obedience as ever ſhe had ſince ſhe came to Scotland. But no wife would ſhe conſent to leave Bothwell. According to Sir James Melvil, the Queen found means of writing a letter to Bothwell on the evening of that day when ſhe was conducted as a priſoner to Edinburgh, in which ſhe declared her affection to him in the moſt tender expreſſions, and her reſolution never to abandon him. This letter, he ſays, was intercepted by the Confederates, and determined them to confine Mary in the caſtle of Lochlevin. But as neither Buchanan nor Knox, both abundantly diſpoſed to avail themſelves of every fact and report that could be employed in order to repreſent Mary's conduct as improper and criminal, mention this letter; and as the Confederates themſelves, in their negociations with Throkmorton, as well as in their accuſations of the Queen before the Engliſh Commiſſioners at York and Weſtminſter, maintain the ſame ſilence with regard to it, I am ſatisfied that Melvil, who wrote his memoirs for the information of his ſon, in his old age, and long after the events which he records happened, has been miſtaken with regard to this particular. From this long enumeration of circumſtances, we may, without violence, draw the following concluſion. Had Mary really been acceſſary to the murder of her huſband; had Bothwell perpetrated the crime with her conſent, or at her command; and had ſhe intended to ſtifle the evidence againſt him, and to prevent the diſcovery of his guilt, ſhe could ſcarcely have taken any other ſteps than thoſe which ſhe took, nor could her conduct

have

have been more repugnant to all the maxims of prudence and of decency.

The poſitive evidence produced againſt Mary may be claſſed under two heads.

1. The depoſitions of ſome perſons who were employed in committing the murder, particularly of Nicholas Hubert, who, in the writings of that age, is called *French Paris*. This perſon, who was Bothwell's ſervant, and much truſted by him, was twice examined, and the original of one of his depoſitions, and a copy of the other, are ſtill extant. It is pretended that both theſe are notorious forgeries. But they are remarkable for a ſimplicity and *naiveté* which it is almoſt impoſſible to imitate; they abound with a number of minute facts and particularities, which the moſt dextrous forger could not have eaſily aſſembled, and connected together with any appearance of probability; and they are filled with circumſtances, which can ſcarcely be ſuppoſed to have entered the imagination of any man but one of Paris's rank and character. But, at the ſame time, it muſt be acknowledged, that his depoſitions contain ſome improbable circumſtances. He ſeems to have been a fooliſh talkative fellow; the fear of death, the violence of torture, and the deſire of pleaſing thoſe in whoſe power he was, tempted him, perhaps, to feign ſome circumſtances, and to exaggerate others. To ſay that ſome circumſtances in an affidavit are improbable or falſe, is very different from ſaying that the whole is forged. I ſuſpect the former to be the caſe here; but I ſee no appearance of the latter. Be that as it will, ſome of the moſt material facts in Paris's affida-

vits reſt upon his ſingle teſtimony; and for that reaſon, I have not in the Hiſtory, nor ſhall I in this place, lay any ſtreſs upon them.

2. The letters ſaid to be written by Mary to Bothwell. Theſe have been frequently publiſhed. The accident by which the Queen's enemies got them into their poſſeſſion, is related Vol. I. 449. When the authenticity of any ancient paper is dubious or conteſted, it may be aſcertained either by external or internal evidence. Both theſe have been produced in the preſent caſe.

I. External proofs of the genuineneſs of Mary's letters. 1. Murray, and the nobles who adhered to him, affirm upon their word and honour, that the letters were written with the Queen's own hand, with which they were well acquainted. Good. ii. 64. 92. 2. The letters were publicly produced in the parliament of Scotland, December 1567; and were ſo far conſidered as genuine, that they are mentioned in the act againſt Mary, as one chief argument of her guilt. Good. ii. 66, 67. 3. They were ſhewn privately to the Duke of Norfolk, the Earl of Suſſex, and Sir Ralph Sadler, Elizabeth's commiſſioners at York. In the account which they give of this matter to their miſtreſs, they ſeem to conſider the letters as genuine, and expreſs no ſuſpicion of any forgery; they particularly obſerve, "that the matter contained in them is ſuch that it could hardly be invented and deviſed by any other than herſelf; for that they diſcourſe of ſome things, which were unknown to any other than to herſelf and Bothwell; and as it is hard to counterfeit ſo many, ſo the matter of them, and the manner how theſe

men came by them, is ſuch, as it ſeemeth that God, in whoſe ſight murder and bloodſhed of the innocent is abominable, would not permit the ſame to be hid or concealed." Good. ii. 142. They ſeem to have made ſuch an impreſſion on the Duke of Norfolk, that in a ſubſequent letter to Pembroke, Leiceſter, and Cecil, he has theſe words: "If the matter ſhall be thought as deteſtable and manifeſt to you, as for ought we can perceive it ſeemeth here to us." Good. ii. 154. Nor did Norfolk declare theſe to be his ſentiments only in publick official letters, he expreſſed himſelf in the ſame manner to his moſt confidential friends. In a ſecret conference with the Biſhop of Roſs at York, the Duke informed him, that he had ſeen the letters, &c. which the Regent had to produce againſt the Queen, whereby there would be ſuch matter proved againſt her, as would diſhonour her for ever. State Trials, Edition of Hargrave, i. 91. Murdin, 52. The Biſhop of Roſs, if he had known the letters to be a notorious forgery, muſt have been naturally led, in conſequence of this declaration, to undeceive the Duke, and to expoſe the impoſture. But, inſtead of this, the Duke and he and Lethington, after conſulting together, agreed, that the Biſhop ſhould write to Mary, then at Bolton, and inſtruct her to make ſuch a propoſal to Elizabeth as might prevent the public production of the letters and other evidence. State Trials, i. 94. Murdin, 45. Indeed, the whole of this ſecret conference ſeems to imply, that Lethington, Roſs, and Norfolk, were conſcious of ſome defect in Mary's cauſe,

and therefore exerted all their ingenuity in order to avoid a public accuſation. Murdin, 52, 53. To Baniſter, whom the Duke ſeems to have truſted more entirely than any other of his ſervants, he expreſſed himſelf in ſimilar terms with reſpect to the Queen of Scots. State Trials, i. 98. The words of Baniſter's evidence are remarkable: "I confeſs that I, waiting of my Lord and Maſter, when the Earl of Suſſex and Mr. Chancellor of the Dutchy that now is, were in commiſſion at York, did hear his Grace ſay, that upon examination of the matter of the murder, it did appear that the Queen of Scots was guilty and privy to the murder of Lord Darnly, whereby I verily thought that his Grace would never join in marriage with her. Murdin, 134. Elizabeth, in her inſtructions to the Earl of Shrewſbury and Beale in 1583, aſſerts, that both the Duke and Earl of Arundel did declare to herſelf, that the proof, by the view of her letters, did fall out ſufficient againſt the Queen of Scots; however, they were after drawn to cover her faults and pronounce her innocency. MS. Advoc. Library. A. iii. 28. p. 314. from Cot. Lib. Calig. 9. 4. A ſimilar impreſſion was made upon other contemporaries of Mary by the production of the letters, which implies a full belief of their being genuine. Cecil, in his correſpondence with Sir Henry Norris, the Engliſh Ambaſſador in France, relates this tranſaction in terms which leave no room to doubt with reſpect to his own private opinion. In his letter, Decem. 14th, 1568, the very day on which the letters, &c. were laid before

fore the meeting of Privy Counſellors and Peers, he informs him, "that the Regent was driven, for his defence, to diſcloſe a full fardel of the naughty matter, tending to convince the Queen as deviſer of the murther, and the Earl of Bothwell as her executour; and now the Queen's party, ſo great, refuſe to make any anſwer, and preſs that their Miſtreſs may come in perſon to anſwer the matter herſelf, before the Queen's Majeſty, which is thought not fit to be granted until the great blot of the marriage with her huſband's murtherer, and the evident charges, by letters of her own, to be deviſer of the murther, be ſomewhat razed out or recovered; for that as the matters are exhibited againſt her, it is far unſeemly for any Prince, or for chaſte ears, to be annoyed with the filthy noiſe thereof; and yet, as being a Commiſſioner, I muſt and will forbear to pronounce any thing herein certainly, though as a private perſon I cannot but with horror and trembling think thereof." Cabala, 156. 5. From the correſpondence of Bowes, the Engliſh Reſident in Scotland, with Walſingham in the year 1582, publiſhed towards the cloſe of this Diſſertation, it is manifeſt that both in England and Scotland, both by Elizabeth and James, both by the Duke of Lennox and Earl of Gowrie, the letters were deemed to be genuine. The eagerneſs, on one ſide to obtain, and on the other to keep poſſeſſion of the caſket and letters, implies that this was the belief of both. Theſe ſentiments of contemporaries, who were in a ſituation to be thoroughly informed, and who had abilities to judge

judge with diſcernment, will, in the opinion of many of my readers, far outweigh theories, ſuppoſitions, and conjectures, formed at the diſtance of two centuries. 6. The letters were ſubjected to a ſolemn and judicial examination with reſpect to their authenticity, as far as that could be aſcertained by reſemblance of character and faſhion of writing: For after the conferences at York and Weſtminſter were finiſhed, Elizabeth, as I have related, aſſembled her Privy Counſellors, and, joining to them ſeveral of the moſt eminent noblemen in her kingdom, laid before them all the proceedings againſt the Scottiſh Queen, and particularly ordered, that "the letters and writings exhibited by the Regent, as the Queen of Scots letters and writings, ſhould alſo be ſhewed, and conference [i. e. compariſon] thereof made in their ſight, with the letters of the ſaid Queen's, being extant, and heretofore written with her own hand, and ſent to the Queen's majeſty; whereby may be ſearched and examined what difference is betwixt them." Good. ii. 252. They aſſembled accordingly, at Hampton Court, December 14 and 15, 1568; and, "The originals of the letters ſuppoſed to be written with the Queen of Scots' own hand, were then alſo preſently produced and peruſed; and being read, were duly conferred and compared, for the manner of writing, and faſhion of orthography, with ſundry other letters long ſince heretofore written, and ſent by the ſaid Queen of Scots to the Queen's Majeſty. In collation whereof no difference was found." Good. ii. 256. 7. Mary having written

written an apologetical letter for her conduct to the Countess of Lennox, July 10, 1570[b], she transmitted it to her husband then in Scotland; and he returned to the Countess the following answer:

[b] Mary's letter has never been published, and ought to have a place here, where evidence on all sides is fairly produced. " Madam, if the wrang and false reportis of rebellis, enemies weill knawin for traitouris to zow, and alace to muche trusted of me by zoure advice, had not so far sturred you aganis my innocency, (and I must say aganis all kyndness, that zow have not onelie as it were condempnit me wrangfullie, bot so hated me, as some wordis and opene deideis hes testifeit to all the warlde, a manyfest mislyking in zow aganis zowr awn blude) I wold not have omittit thus lang my dewtie in wryting to zow excusing me of those untrew reporties made of me. But hoping with Godis grace and tyme to have my innocency knawin to zow, as I trust it is already to the maist pairt of all indifferent personis, I thocht it best not to trouble zow for a tyme till that such a matter is moved that tuichis us bayth, quhilk is the transporting zoure littil son, and my onelie child in this countrey. To the quhilk albeit I be never sa willing, I wald be glaid to have zoure advyse therein, as in all uther thingis tuiching him. I have born him, and God knawis with quhat danger to him and me boith; and of zow he is descendit. So I meane not to forzet my dewtie to zow, in schewin herein any unkyndness to zow, how unkyndlie that ever ze have delt with me, bot will love zow as my awnt, and respect zow as my moder in law. And gif ye ples to knaw farther of my mynd in that and all uther thingis betwixt us, my ambassador the bishop of Ross sall be ready to confer with zow. And so after my hairtlie commendationis, remitting me to my saide ambassador, and zour better consideratioun, I commit zow to the protection of Almighty God, quhom I pray to preserve zow and my brother Charles, and caus zow to knaw my pairt better nor ze do. From Chatisworth this x of July 1570.

To my Ladie Lennox my moder in law.

Youre natural gude Nice and lovynge dochter,"

" Seeing

" Seeing you have remittit to me, to anſwer the Queen the King's mother's letters ſent to you, what can I ſay but that I do not marvell to ſee hir writ the beſt can for hirſelf, to ſeame to purge her of that, quhairof many beſyde me are certainly perſuadit of the contrary, and I not only aſſurit by my awin knawledge, but by her hand writ, the confeſſionis of men gone to the death, and uther infallibil experience. It wull be lange tyme that is hable to put a mattir ſo notorious in oblivioun, to mak black quhyte, or innocency to appear quhair the contrary is ſa weill knawin. The maiſt indifferent, I truſt, doubtis not of the equite of zour and my cauſe, and of the juſt occaſioun of our miſlyking. Hir richt dewtie to zow and me, being the parteis intereſt, were hir trew confeſſioun and unfeyned repentance of that lamentable fact, odious for hir to be reportit, and ſorrowfull for us to think of. God is juſt, and will not in the end be abuſed; but as he has manifeſted the trewth, ſo will he puneiſe the iniquity." *Lennox's Orig. Regiſt. of Letters.* In their public papers, the Queen's enemies may be ſuſpected of advancing what would be moſt ſubſervient to their cauſe; not what was agreeable to truth, or what flowed from their own inward conviction. But in a private letter to his own wife, Lennox had no occaſion to diſſemble; and it is plain, that he not only thought the Queen guilty, but believed the authenticity of her letters to Bothwell. 8. In oppoſition to all theſe reaſons for believing the letters, &c. to be authentic, the conduct of the Nobles confederated againſt Mary, in not producing them directly

directly as evidence against her, has been represented as an irrefragable proof of their being forged. According to the account of the Confederates themselves, the casket containing the letters was seized by them on the twentieth of June one thousand five hundred and sixty-seven; but the first time that they were judicially stated as evidence against the Queen was in a meeting of the Regent's Privy Council, December fourth, and they afterwards served as the foundation of the acts made against her in the Parliament, held on the fifteenth of the same month. If the letters had been genuine, it is contended, that the obtaining possession of them must have afforded such matter of triumph to the Confederates, that they would instantly have proclaimed it to the whole world; and in their negociations with the English and French Ministers, or with such of their fellow-subjects as condemned their proceedings, they would have silenced, at once, every Advocate for the Queen, by exhibiting this convincing proof of her guilt. But in this reasoning sufficient attention is not paid to the delicate and perilous situation of the Confederates at that juncture. They had taken arms against their Sovereign, had seized her person at Carberry-hill, and had confined her a prisoner in Lochlevin. A considerable number, however, of their fellow subjects, headed by some of the most powerful noblemen in the kingdom was combined against them. This combination, they soon perceived, they could not hope to break or to vanquish without aid either from France or England. In the former kingdom, Mary's uncles the Duke of Guise and Cardinal

of

of Lorrain were, at that period, all powerful, and the King himſelf was devotedly attached to her. If the Confederates confined their views to the diſſolution of the marriage of the Queen with Bothwell, and to the excluſion of him for ever from her preſence, they might hope, perhaps, to be countenanced by Charles IX. and his Miniſters, who had ſent an envoy into Scotland of purpoſe to diſſuade Mary from that ill-fated match; Append. No. XXII. whereas the loading her publicly with the imputation of being acceſſory to the murder of her huſband, would be deemed ſuch an inexpiable crime by the court of France, as muſt cut off every hope of countenance or aid from that quarter. From England, with which the principal Confederates had been long and intimately connected, they had many reaſons to expect more effectual ſupport; but, to their aſtoniſhment, Elizabeth condemned their proceedings with aſperity, warmly eſpouſed the cauſe of the captive Queen, and was extremely ſollicitous to obtain her releaſe and reſtoration. Nor was this one of the artifices which Elizabeth often employed in her tranſactions with Scotland. Though her moſt ſagacious Miniſters conſidered it as the wiſeſt policy to ſupport the confederate Lords rather than the Queen of Scots, Elizabeth diſregarded their counſel[c]. Her high notions of royal authority, and

[c] This was the opinion of Throkmorton, as appears from an extract of his letter of July 11th, publiſhed in the Append. No. XXII. The ſame were the ſentiments of Cecil, in his letter of Aug. 19th, 1567, to Sir Henry Norris, Elizabeth's

and of the ſubmiſſion due by ſubjects, induced her, on this occaſion, to exert herſelf in behalf of Mary, not only with ſincerity but with zeal; ſhe negociated, ſhe ſollicited, ſhe threatened. Finding the Confederates inflexible, ſhe endeavoured to procure Mary's releaſe by means of that party in Scotland which continued faithful to her, and inſtructed Throkmorton to correſpond with the leaders of it, and to make overtures to that effect. Keith. 451. App. No. XXIII. She even went ſo far as to direct her Ambaſſador at Paris, to concert meaſures with the French King how they, by their joint efforts, might perſuade or compel the Scots to "acknowledge the Queen her good ſiſter to be their Sovereign Lady, and Queen, and renounce their obedience to her ſon." Keith. 462, 3, 4. From all theſe circumſtances, the Confederates had every reaſon to apprehend that Mary would ſoon obtain liberty, and by ſome accommodation be reſtored to the whole, or at leaſt to a conſiderable portion of her authority as Sovereign. In that event they foreſaw, that if they ſhould venture to accuſe her publicly of a crime ſo atrocious as the murder of her huſband, they muſt not only be excluded for ever from

beth's Ambaſſador to France, "You ſhall perceive, ſays he, by the Queen's letter to you, at this preſent, how earneſtly ſhe is bent in favour of the Queen of Scots, and truly ſince the beginning ſhe hath been greatly offended with the Lords; and, howſoever her Majeſty might make her profit by bearing with the Lords in this action, yet no counſel can ſtay her Majeſty from manifeſting her miſliking of them." Cabala, 140. And in his letter of Sept. 3d, "The Queen's Majeſty, our Sovereign, remaineth ſtill offended with the Lords for the Queen; the example moveth her." Ib. 141. Digges Comp. Amb. 14.

power

power and favour, but from any hope of perſonal ſafety. On this account they long confined themſelves to that which was originally declared to be the reaſon of their taking arms; the avenging the King's death, the diſſolving the marriage with Bothwell, the inflicting on him condign puniſhment, or baniſhing him for ever from the Queen's preſence. It appears from the letters of Throkmorton, publiſhed by Biſhop Keith, and in my Appendix, that his ſagacity early diſcovered that this would be the tenor of their conduct. In his letter, July 14th, from Edinburgh, "they do not forget their own peril conjoined with the danger of the Prince, but, as far as I perceive, they intend not to touch the Queen either in ſurety or in honour; for they ſpeak of her with reſpect and reverence, and do affirm, as I do learn, that, the condition aforeſaid accompliſhed, [i. e. the ſeparation from Bothwell] they will both put him to liberty, and reſtore her to her eſtate." Append. No. XXII. His letter of Auguſt 22d, contains a declaration made to him by Lethington, in name and in preſence of his aſſociates, "that they never meant harm neither to the Queen's perſon nor to her honour—that they have been contented hitherto to be condemned, as it were, of all Princes, ſtrangers, and, namely, of the Queen of England, being charged of grievous and infamous titles, as to be noted rebels, traitors, ſeditious, ingrate and cruel, all which they ſuffer and bear upon their backs, becauſe they will not juſtify themſelves, nor proceed in any thing that may touch their Sovereign's honour. But in caſe they be with

with theſe defamations continually oppreſſed, or with the force, aid, and practices of other Princes, and namely of the Queen of England, put in danger, or to an extremity, they ſhall be compelled to deal otherwiſe with the Queen than they intend, or than they deſire; for, added he, you may be ſure we will not loſe our lives, have our lands forfeited, and be reputed rebels through the world, ſeeing we have the means to juſtify ourſelves." Keith, 448. From this view of the ſlippery ground on which they ſtood at that time, their conduct in not producing the letters for ſeveral months, appears not only to have been prudent but eſſential to their own ſafety.

But, at a ſubſequent period, when the Confederates found it neceſſary to have the form of government, which they had eſtabliſhed, confirmed by authority of Parliament, a different mode of proceeding became requiſite. All that had hitherto been done with reſpect to the Queen's diſmiſſion, the ſeating the young King upon the throne, and the appointment of a Regent, was in reality nothing more than the deed of private men. It required ſome exhibition of ſome legal evidence to procure a conſtitutional act giving the ſanction of its approbation to ſuch violent meaſures, and to obtain "a perfect law and ſecurity for all them that either by deed, counſel, or ſubſcription, had entered into that cauſe ſince the beginning." Haynes, 453. This prevailed with the Regent and his ſecret counſel, after long deliberation to agree to produce all the evidence of which they were poſſeſſed; and upon that production Parliament paſſed the acts which were

required. Such a change had happened in the ſtate of the kingdom as induced the Confederates to venture upon this change in their conduct. In June, a powerful combination was forming againſt them, under the leading of the Hamiltons. In December, that combination was broken; moſt of the members of it had acknowledged the King as their lawful Sovereign, and had ſubmitted to the Regent's government. Huntly, Argyll, Herries, the moſt powerful noblemen of that party, were preſent in the Parliament, and concurred in all its acts. Edinburgh, Dunbar, Dunbarton, and all the chief ſtrong holds in the kingdom, were now in the hands of the Regent; the arms of France had full occupation in its civil war with the Hugonots. The ardour of Elizabeth's zeal in behalf of the captive Queen ſeems to have abated. A ſtep that would have been followed with ruin to the Confederates in June, was attended with little danger in December. From this long deduction it appears, that no proof of the letters being forged can be drawn from the circumſtance of their not having been produced immediately after the twentieth of June; but though no public accuſation was brought inſtantly againſt the Queen, in conſequence of ſeizing the caſket, hints were given by the Confederates, that they poſſeſſed evidence ſufficient to convict her. This is plainly implied in a letter of Throkmorton, July 21ſt, Keith, Pref. p. xii. and more clearly in the paſſage which I have quoted from his letter of Auguſt 22. In his letter of July 25, the papers contained in the caſket are ſtill more plainly pointed out. "They [i. e. the Confederates] ſay, that they have as apparent proof againſt her

as

as may be, as well by the teſtimony of her own hand-writing, which they have recovered, as alſo by ſufficient witneſſes." Keith, 426.

II. With regard to the internal proofs of the genuineneſs of the Queen's letters to Bothwell, we may obſerve, 1. That whenever a paper is forged with a particular intention, the eagerneſs of the forger to eſtabliſh the point in view, his ſolicitude to cut off all doubts and cavils, and to avoid any appearance of uncertainty, always prompt him to uſe expreſſions the moſt explicit and full to his purpoſe. The paſſages foiſted into ancient authors by Heretics in different ages; the legendary miracles of the Romiſh ſaints; the ſuppoſititious deeds in their own favour produced by monaſteries; the falſe charters of homage mentioned, Vol. I. p. 13. are ſo many proofs of this aſſertion. No maxim ſeems to be more certain than this, that a forger is often apt to prove too much, but ſeldom falls into the error of proving too little. The point which the Queen's enemies had to eſtabliſh, was, "that as the Earl of Bothwell was chief executor of the horrible and unworthy murder perpetrated, &c. ſo was ſhe of the foreknowledge, counſel, device, perſuader, and commander of the ſaid murder to be done." Good. ii. 207. But of this there are only imperfect hints, obſcure intimations, and dark expreſſions in the letters, which, however convincing evidence they might furniſh if found in real letters, bear no reſemblance to that glare and ſuperfluity of evidence which forgeries commonly contain. All the advocates for Mary's innocence in her own age, contend that there is nothing in the letters which can ſerve as a proof of her guilt. Leſly,

Blackwood, Turner, &c. abound with paſſages to this purpoſe; nor are the ſentiments of thoſe in the preſent age different. "Yet ſtill it might have been expected (ſays her lateſt defender) that ſome one or other of the points or articles of the accuſation ſhould be made out clearly by the proof. But nothing of that is to be ſeen in the preſent caſe. There is nothing in the letters that could plainly ſhew the writer to have been in the foreknowledge, counſel, or device of any murder, far leſs to have perſuaded or commanded it; and as little is there about maintaining or juſtifying any murderers." Good. i. 76. How ill adviſed were Mary's adverſaries, to contract ſo much guilt, and to practiſe ſo many artifices, in order to forge letters, which are ſo ill contrived for eſtabliſhing the concluſion they had in view? Had they been ſo baſe as to have recourſe to forgery, is it not natural to think that they would have produced ſomething more explicit and deciſive? It is almoſt impoſſible to invent a long narration of fictitious events, conſiſting of various minute particulars, and to connect theſe in ſuch a manner with real facts, that no mark of fraud ſhall appear. For this reaſon, ſkilful forgers avoid any long detail of circumſtances, eſpecially of foreign and ſuperfluous ones, well knowing that the more theſe are multiplied, the more are the chances of detection increaſed. Now Mary's letters, eſpecially the firſt, are filled with a multiplicity of circumſtances, extremely natural in a real correſpondence, but altogether foreign to the purpoſe of the Queen's enemies, and which it would have been extreme folly to have inſerted, if they had been altogether imaginary, and without

out foundation. 3. The truth and reality of ſeveral circumſtances in the letters, and theſe, too, of no very public nature, are confirmed by undoubted collateral evidence. Lett. 1. Good. ii. p. 1. The Queen is ſaid to have met one of Lennox's gentlemen, and to have had ſome converſation with him. Thomas Crawford, who was the perſon, appeared before Elizabeth's commiſſioners, and confirmed, upon oath, the truth of this circumſtance. He likewiſe declared, that during the Queen's ſtay at Glaſgow, the King repeated to him, every night, whatever had paſſed through the day, between her Majeſty and him; and that the account given of theſe converſations in the firſt letter, is nearly the ſame with what the King communicated to him. Good. ii. 245. According to the ſame letter there was much diſcourſe between the King and Queen concerning Mynto, Hiegait, and Walcar. Good. ii. 8. 10, 11. What this might be, was altogether unknown, until a letter of Mary's, preſerved in the Scottiſh college at Paris, and publiſhed, Keith, Pref. vii. diſcovered it to be an affair of ſo much importance as merited all the attention ſhe paid to it at that time. It appears by a letter from the French ambaſſador, that Mary was ſubject to a violent pain in her ſide. Keith, ibid. This circumſtance is mentioned, Lett. 1. p. 30. in a manner ſo natural as can ſcarcely belong to any but a genuine production. If we ſhall ſtill think it probable to ſuppoſe that ſo many real circumſtances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production; it will hardly be poſſible to hold the ſame opinion concerning

the following particular. Before the Queen began her firſt letter to Bothwell, ſhe, as uſual among thoſe who write long letters containing a variety of ſubjects, made *notes* or *memorandums* of the particulars ſhe wiſhed to remember; but as ſhe ſat up writing during a great part of the night, and after her attendants were aſleep, her paper failed her, and ſhe continued her letter upon the ſame ſheet on which ſhe had formerly made her memorandums. This ſhe herſelf takes notice of, and makes an apology for it: "It is late; I deſire never to ceaſe from writing unto you, yet now, after the kiſſing of your hands, I will end my letter. Excuſe my evil writing, and read it twice over. Excuſe that thing that is ſcriblit, for I had na paper zeſterday, quhen I wrait that of the memorial." Good. ii. 28. Theſe memorandums ſtill appear in the middle of the letter; and what we have ſaid ſeems naturally to account for the manner how they might find their way into a real letter. It is ſcarce to be ſuppoſed, however, that any forger would think of placing memorandums in the middle of a letter, where, at firſt ſight, they make ſo abſurd and ſo unnatural an appearance. But if any ſhall ſtill carry their refinement ſo far, as to ſuppoſe that the forgers were ſo artful as to throw in this circumſtance, in order to preſerve the appearance of genuineneſs, they muſt at leaſt allow that the Queen's enemies, who employed theſe forgers, could not be ignorant of the deſign and meaning of theſe ſhort notes and memorandums; but we find them miſtaking them ſo far as to imagine that they were the *credit of the bearer*, i. e. points concerning which the Queen had given him verbal

verbal inſtructions. Good. ii. 152. This they cannot poſſibly be; for the Queen herſelf writes with ſo much exactneſs concerning the different points in the memorandums, that there was no need of giving any credit or inſtructions to the bearer concerning them. The memorandums are indeed the *contents* of the letter. 5. Mary, mentioning her converſation with the King, about the affair of Mynto, Hiegait, &c. ſays, "The morne [i. e. to-morrow] I will ſpeik to him upon that point;" and then adds, "As to the reſt of Wille Hiegait's, he confeſſit it; but it was the morne [i. e. the morning] after my coming or he did it." Good. ii. 9. This addition, which could not have been made till after the converſation happened, ſeems either to have been inſerted by the Queen into the body of the letter, or, perhaps, ſhe having written it on the margin, it was taken thence into the text. If we ſuppoſe the letter to be a real one, and written at different times, as it plainly bears, this circumſtance appears to be very natural; but no reaſon could have induced a forger to have ventured upon ſuch an anachroniſm, for which there was no neceſſity. An addition perfectly ſimilar to this made to a genuine paper, may be found, Good. ii. 282.

But, on the other hand, Mary herſelf, and the advocates for her innocence have contended, that theſe letters were forged by her enemies, on purpoſe to blaſt her reputation, and to juſtify their own rebellion. It is not neceſſary to take notice of the arguments which were produced, in her own age, in ſupport of this opinion; the obſervations which we have already made, contain a full reply to them. An author, who has inquired

into the affairs of that period with great induſtry, and who has acquired much knowledge of them, has lately publiſhed (as he affirms) a demonſtration of the forgery of Mary's letters. This demonſtration he founds upon evidence both internal and external. With regard to the former, he obſerves, that the French copy of the Queen's letters is plainly a tranſlation of Buchanan's Latin copy; which Latin copy is only a tranſlation of the Scottiſh copy; and, by conſequence, the aſſertion of the Queen's enemies, that ſhe wrote them originally in French, is altogether groundleſs, and the whole letters are groſs forgeries. He accounts for this ſtrange ſucceſſion of tranſlations, by ſuppoſing that when the forgery was projected, no perſon could be found capable of writing originally in the French language letters which would paſs for the Queen's; for that reaſon they were firſt compoſed in Scottiſh; but unluckily the French interpreter, as he conjectures, did not underſtand that language; and therefore Buchanan tranſlated them into Latin, and from his Latin they were rendered into French. Good. i. 79, 80.

It is hardly neceſſary to obſerve, that no proof whatever is produced of any of theſe ſuppoſitions. The manners of the Scots, in that age, when almoſt every man of rank ſpent a part of his youth in France, and the intercourſe between the two nations was great, render it altogether improbable that ſo many complicated operations ſhould be neceſſary in order to procure a few letters to be written in the French language.

But without inſiſting farther on this, we may obſerve, that all this author's premiſes may be granted, and yet his concluſion will not follow, unleſs

unleſs he likewiſe prove that the French letters, as we now have them, are a true copy of thoſe which were produced by Murray and his party in the Scottiſh Parliament, and at York and Weſtminſter. But this he has not attempted; and if we attend to the hiſtory of the letters, ſuch an attempt, it is obvious, muſt have been unſucceſsful. The letters were firſt publiſhed at the end of Buchanan's *Detection*. The firſt edition of this treatiſe was in Latin, in which language three of the Queen's letters were ſubjoined to it; this Latin edition was printed A. D. 1571. Soon after, a Scottiſh tranſlation of it was publiſhed, and at the end of it were printed, likewiſe in Scottiſh, the three letters which had formerly appeared in Latin, and five other letters in Scottiſh, which were not in the Latin edition. Next appeared a French tranſlation of the Detection, and of ſeven of the letters; this bears to have been printed at Edinburgh by Thomas Waltem, 1572. The name of the place, as well as the printer, is allowed by all parties to be a manifeſt impoſture. Our author, from obſerving the day of the month, from which the printing is ſaid to have been finiſhed, has aſſerted that this edition was printed at London; but no ſtreſs can be laid upon a date found in a book, where every other circumſtance with regard to the printing is allowed to be falſe. Blackwood, who (next to Leſly) was the beſt informed of all Mary's advocates in that age, affirms that the French edition of the Detection was publiſhed in France: "Il [Buchanan] a depuis adjouſté a ceſte declamation un petit libelle du pretendu mariage du Duc de Norfolk, et de la façon de ſon proces,

proces, et la tout envoyè aux freres a la Rochelle, leſquels voyants qu'il pouvoit ſervir a la cauſe, l'ont traduit en François, et iceluy fut imprimée a Edinbourg, c'eſt a dire a la Rochelle, par Thomas Waltem, nom apoſté et fait a plaiſir. Martyre de Marie. Jebb. ii. 256." The author of the *Innocence de Marie* goes farther, and names the French tranſlator of the Detection. " Et icelui premierement compoſé (comme il ſemble) par George Buchanan Eſcoſſoys, et depuis traduit en langue Françoiſe par un Hugonot, Poitevin (advocat de vocation) Camuz, ſoy diſant gentilhomme, et un de plus remarquez ſediteuz de France. Jebb, i. 425. 443." The concurring teſtimony of two contemporary authors, whoſe reſidence in France afforded them ſufficient means of information, muſt outweigh a ſlight conjecture. This French tranſlator does not pretend to publiſh the original French letters as written by the Queen herſelf; he expreſsly declares that he tranſlated them from the Latin. Good. i. 103. Had our author attended to all theſe circumſtances, he might have ſaved himſelf the labour of ſo many criticiſms to prove that the preſent French copy of the letters is a tranſlation from the Latin. The French editor himſelf acknowledges it, and, ſo far as I know, no perſon ever denied it.

We may obſerve that the French tranſlator was ſo ignorant, as to affirm that Mary had written theſe letters, partly in French, partly in Scottiſh. Good. i. 103. Had this tranſlation been publiſhed at London by Cecil, or had it been made by his direction, ſo groſs an error would not have been admitted into it. This error, however, was owing

owing to an odd circumſtance. In the Scottiſh tranſlation of the Detection, two or three ſentences of the original French were prefixed to each letter, which breaking off with an &c. the Scottiſh tranſlation of the whole letter followed. This method of printing tranſlations was not uncommon in that age. The French editor obſerving this, fooliſhly concluded that the letters had been written partly in French, partly in Scottiſh.

If we carefully conſider thoſe few French ſentences of each letter, which ſtill remain, and apply to them that ſpecies of criticiſm, by which our author has examined the whole, a clear proof will ariſe, that there was a French copy not tranſlated from the Latin, but which was itſelf the original from which both the Latin and Scottiſh have been tranſlated. This minute criticiſm muſt neceſſarily be diſagreeable to many readers; but luckily a few ſentences only are to be examined, which will render it extremely ſhort.

In the firſt letter, the French ſentence prefixed to it ends with theſe words, *y faiſoit bon*. It is plain this expreſſion, *veu ce que peut un corps ſans cœur*, is by no means a tranſlation of *cum plane perinde eſſem atque corpus ſine corde*. The whole ſentence has a ſpirit and elegance in the French, which neither the Latin nor Scottiſh have retained. *Juſques a la dinée* is not a tranſlation of *toto prandii tempore*; the Scottiſh tranſlation, *quhile denner-tyme*, expreſſes the ſenſe of the French more properly; for anciently *quhile* ſignified *until* as well as *during*. *Je n'ay pas tenu grand propos* is not juſtly rendered *neque contulerim ſermonem cum quoquam*; the phraſe uſed in the French

French copy is one peculiar to that language, and gives a more probable account of her behaviour than the other. *Jugeant bien qu'il n'y faiſoit bon*, is not a tranſlation of *ut qui judicarent id non eſſe ex uſu*. The French ſentence prefixed to Lett. 2. ends with *apprendre*. It is evident that both the Latin and Scottiſh tranſlations have omitted altogether theſe words, *et toutefois je ne puis apprendre*. The French ſentence prefixed to Lett. 3. ends with *preſenter*. *J'aye veillè plus tard la haut* is plainly no tranſlation of *diutius illic morata ſum*; the ſenſe of the French is better expreſſed by the Scottiſh *I have walkit later there up*. Again, *Pour excuſer voſtre affaire* is very different from *ad excuſandum noſtra negotia*. The five remaining letters never appeared in Latin; nor is there any proof of their being ever tranſlated into that language. Four of them, however, are publiſhed in French. This entirely overturns our author's hypotheſis concerning the neceſſity of a tranſlation into Latin.

In the Scottiſh edition of the Detection the whole *ſonnet* is printed in French as well as in Scottiſh. It is not poſſible to believe that this Scottiſh copy could be the original from which the French was tranſlated. The French conſiſts of verſes which have both meaſure and rhyme, and which, in many places, are far from being inelegant. The Scottiſh conſiſts of an equal number of lines, but without meaſure or rhyme. Now no man could ever think of a thing ſo abſurd and impracticable, as to require one to tranſlate a certain given number of lines in proſe into an equal number of verſes, where both meaſure and rhyme were to be obſerved. The Scottiſh,

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on the contrary, appears manifeſtly to be a tranſlation of the French; the phraſes, the idioms, and many of the words are French, and not Scottiſh. Beſides, the Scottiſh tranſlator has, in ſeveral inſtances, miſtaken the ſenſe of the French, and in many more expreſſes the ſenſe imperfectly. Had the ſonnet been forged, this could not have happened. The directors of the fraud would have underſtood their own work. I ſhall ſatisfy myſelf with one example, in which there is a proof of both my aſſertions. Stanza viii. ver. 9.

Pour luy j'attendz toute bonne fortune,
Pour luy je veux garder ſantè et vie,
Pour luy tout vertu de ſuivre j'ay envie.

For him I attend all good fortune,
For him I will conſerve helthe and lyſe,
For him I deſire to enſue courage.

Attend in the firſt line is not a Scottiſh, but a French phraſe; the two other lines do not expreſs the ſenſe of the French, and the laſt is abſolute nonſenſe.

The eighth letter was never tranſlated into French. It contains much refined myſticiſm about *devices*, a folly of that age, of which Mary was very fond, as appears from ſeveral other circumſtances, particularly from a letter concerning *impreſas* by Drummond of Hawthornden. If Mary's adverſaries forged her letters, they were certainly employed very idly when they produced this.

From theſe obſervations it ſeems to be evident that there was a French copy of Mary's letters,

of

of which the Latin and Scottiſh were only tranſlations. Nothing now remains of this copy but thoſe few ſentences which are prefixed to the Scottiſh tranſlation. The French editor laid hold of theſe ſentences, and tacked his own tranſlation to them, which, ſo far as it is his work, is a ſervile and a very wretched tranſlation of Buchanan's Latin; whereas, in thoſe introductory ſentences, we have diſcovered ſtrong marks of their being originals, and certain proofs that they are not tranſlated from the Latin.

It is apparent, too, from comparing the Latin and Scottiſh tranſlations with theſe ſentences, that the Scottiſh tranſlator has more perfectly attained the ſenſe and ſpirit of the French than the Latin. And as it appears that the letters were very early tranſlated into Scottiſh, Good. ii. 76; it is probable that Buchanan made his tranſlation not from the French, but from the Scottiſh copy. Were it neceſſary, ſeveral critical proofs of this might be produced. One that has been already mentioned ſeems deciſive. *Diutius illic morata ſum* bears not the leaſt reſemblance to *j'ay veillé plus tard la haut*; but if, inſtead of *I walkit* [i. e. watched] *laiter there up*, we ſuppoſe that Buchanan read *I waitit*, &c. this miſtake into which he might ſo eaſily have fallen, accounts for the error in his tranſlation.

These criticiſms, however minute, appear to be well founded. But whatever opinion may be formed concerning them, the other arguments, with regard to the internal evidence, remain in full force.

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THE external proofs of the forgery of the Queen's letters, which our author has produced, appear at firſt ſight to be ſpecious, but are not more ſolid than that which we have already examined. Theſe proofs may be claſſed under two heads. 1. The erroneous and contradictory accounts which are ſaid to be given of the letters, upon the firſt judicial production of them. In the Secret Council held Decem. 4, 1567, they are deſcribed "as her privie letters written and ſubſcrivit with her awin hand." Haynes, 454. Good. ii. 64. In the act of parliament, paſſed on the 15th of the ſame month, they are deſcribed as "her privie letters writtin halelie with hir awin hand." Good. ib. 67. This diverſity of deſcription has been conſidered as a ſtrong preſumption of forgery. The manner in which Mr. Hume accounts for this is natural and plauſible, vol. v. p. 498. And ſeveral ingenious remarks, tending to confirm his obſervations, are made in a pamphlet lately publiſhed, intitled, *Miſcellaneous Remarks on the Enquiry into the Evidence againſt Mary Queen of Scots.* To what they have obſerved it may be added, that the original act of Secret Council does not now exiſt; we have only a copy of it found among Cecil's papers, and the tranſcriber has been manifeſtly ſo ignorant, or ſo careleſs, that an argument founded entirely upon the ſuppoſition of his accuracy is of little force. Several errors into which he has fallen, we are enabled to point out, by comparing his copy of the act of Secret Council with the act of Parliament paſſed in conſequence of it. The former contains a petition to Parliament; in the latter the real peti-

tion is resumed *verbatim*, and converted into a law. In the copy, the Queen's marriage with Bothwell is called "a priveit marriage," which it certainly was not; for it was celebrated, after proclamation of banns, in St. Giles's church three several days, and with public solemnity, but in the act it is denominated "ane pretendit marriage," which is the proper description of it according to the ideas of the party. In the copy, the Queen is said "to be so thrall and *bludy* affectionat to the privat appetite of that tyran," which is nonsense, but in the act it is "blindly affectionat." In the copy, it is said, "all nobill and virtuous men abhorring their *traine* and company." In the act, "their tyrannie and companie," which is evidently the true reading, as the other has either no meaning, or is a mere tautology. 2. The other proof of the forgery of the letters, is founded upon the impossibility of reconciling the account, given of the time when, and the places from which, the letters are supposed to have been written, with what is certainly known concerning the Queen's motions. According to the paper published, Anders. ii. 269. which has been called Murray's Diary, and which is formed upon the authority of the letters, Mary set out from Edinburgh to Glasgow, January 21, 1567; she arrived there on the 23d; left that place on the 27th; she, together with the King, reached Linlithgow on the 28th, stayed in that town only one night, and returned to Edinburgh before the end of the month. But, according to Mr. Goodal, the Queen did not leave Edinburgh until Friday January 24th; as she stayed a night at Callendar,

ſhe could not reach Glaſgow ſooner than the evening of Saturday the 25th, and ſhe returned to Linlithgow on Tueſday the 28th. By conſequence, the firſt letter, which ſuppoſes the Queen to have been at leaſt four days in Glaſgow, as well as the ſecond letter, which bears date at Glaſgow *Saturday morning*, whereas ſhe did not arrive there until the evening, muſt be forgeries. That the Queen did not ſet out from Edinburgh ſooner than the 24th of January, is evident (as he contends) from the public records, which contain a *Precept of a confirmation of a life-rent* by James Boyd to Margaret Chalmers, granted by the Queen, on the 24th of January, at Edinburgh; and likewiſe a letter of the Queen's dated at Edinburgh on the ſame day, appointing James Inglis taylor to the Prince her ſon. That the King and Queen had returned to Linlithgow on the 28th, appears from a deed, in which they appoint Andrew Ferrier keeper of their palace there, dated at Linlithgow January 28. Good. i. 118.

THIS has been repreſented to be not only a convincing, but a legal proof of the forgery of the letters ſaid to be written by Mary; but how far it falls ſhort of this will appear from the following conſiderations:

1. IT is evident, from a declaration or confeſſion made by the Biſhop of Roſs, that before the conferences at York, which were opened in the beginning of October 1568, Mary had, by an artifice of Maitland's, got into her hands a copy of thoſe letters which her ſubjects accuſed her of having written to Bothwell. Brown's trial of the

Duke of Norfolk, 31. 36. It is highly probable that the Biſhop of Roſs had ſeen the letters before he wrote the defence of Queen Mary's honour in the year 1570. They were publiſhed to all the world, together with Buchanan's Detection, A. D. 1571. Now, if they had contained an error ſo groſs, and, at that time, ſo obvious to diſcovery, as the ſuppoſing the Queen to have paſſed ſeveral days at Glaſgow, while ſhe was really at Edinburgh; had they contained a letter dated at Glaſgow Saturday morning, though ſhe did not arrive there till the evening; is it poſſible that ſhe herſelf, who knew her own motions, or the able and zealous advocates who appeared for her in that age, ſhould not have publiſhed and expoſed this contradiction, and, by ſo doing, have blaſted, at once, the credit of ſuch an impoſture? In diſquiſitions which are naturally abſtruſe and intricate, the ingenuity of the lateſt author may diſcover many things which have eſcaped the attention, or baffled the ſagacity of thoſe who have formerly conſidered the ſame ſubject. But when a matter of fact lay ſo obvious to view, this circumſtance of its being unobſerved by the Queen herſelf, or by any of her adherents, is almoſt a demonſtration that there is ſome miſtake or fallacy in our author's arguments. So far are any, either of our hiſtorians, or of Mary's defenders, from calling in queſtion the common account concerning the time of the Queen's ſetting out to Glaſgow and her returning from it, that there is not the leaſt appearance of any difference among them with regard to this point. But farther,

2. THOSE papers in the public records, on which our author reſts the proof of his aſſertion concerning the Queen's motions, are not the originals ſubſcribed by the Queen, but copies only, or tranſlations of copies of thoſe originals. It is not neceſſary, nor would it be very eaſy to render this intelligible to perſons unacquainted with the forms of law in Scotland; but every Scotſman converſant in buſineſs will underſtand me, when I ſay that the precept of confirmation of the life-rent to Boyd is only a Latin copy or note of a precept, which was ſealed with the Privy-ſeal, on a warrant from the ſignet-office, proceeding on a ſignature which bore date at Edinburgh the 24th of January; and that the deed in favour of James Inglis is the copy of a letter, ſealed with the Privy-ſeal, proceeding on a ſignature which bore date at Edinburgh January 24. From all this we may argue with ſome degree of reaſon, that a proof founded on papers, which are ſo many removes diſtant from the originals, cannot but be very lame and uncertain.

3. AT that time all public papers were iſſued in the name both of the King and Queen; by law, the King's ſubſcription was no leſs requiſite to any paper than the Queen's; and therefore unleſs the original ſignatures be produced, in order to aſcertain the particular day when each of them ſigned, or to prove that it was ſigned only by one of them, the legal proof ariſing from theſe papers would be, that both the King and Queen ſigned them at Edinburgh on the 24th of January.

4. The dates of the warrants or precepts iſſued by the ſovereign, in that age, ſeem to have been in a great meaſure arbitrary, and affixed at the pleaſure of the writer; and, of conſequence, theſe dates were ſeldom accurate, are often falſe, and can never be relied upon. This abuſe became ſo frequent, and was found to be ſo pernicious, that an act of parliament, A. D. 1592, declared the fixing a falſe date to a ſignature to be High Treaſon.

5. There ſtill remain, in the public records, a great number of papers, which prove the neceſſity of this law, as well as the fallacy of our author's arguments. And though it be no eaſy matter, at the diſtance of two centuries, to prove any particular date to be falſe, yet ſurpriſing inſtances of this kind ſhall be produced. Nothing is more certain from hiſtory, than that the King was at Glaſgow 24th January 1567; and yet the record of ſignatures from 1565 to 1582, Fol. 16th, contains the copy of a ſignature to Archibald Edmonſton, ſaid to have been ſubſcribed by *our Sovereigns*, i. e. the King and Queen, at Edinburgh, January 24, 1567; ſo that if we were to rely implicitly upon the dates in the records of that age, or to hold our author's argument to be good, it would prove that not only the Queen, but the King too, was at Edinburgh on the 24th of January.

It appears from an original letter of the Biſhop of Roſs, that on the 25th of October 1566, Mary lay at the point of death; Keith, App. 134; and yet a deed is to be found in the public records, which

which bears that it was ſigned by the Queen that day. Privy-ſeal, lib. 35. fol. 89. *Ouchterlony* [a].

Bothwell ſeized the Queen as ſhe returned from Stirling, April 24th, 1567, and (according to her own account) conducted her to Dunbar with all diligence. And. i. 95. But our author, relying on the dates of ſome papers which he found in the records, ſuppoſes that Bothwell allowed her to ſtop at Edinburgh, and to tranſact buſineſs there. Nothing can be more improbable than this ſuppoſition. We may therefore rank the date of the deed to *Wright*, Privy-ſeal, lib. 36. fol. 43. and which is mentioned by our author, vol. i. 124. among the inſtances of the falſe dates of papers which were iſſued in the ordinary courſe of buſineſs in that age. Our author has miſtaken the date of the other paper to Forbes, ibid. it is ſigned April 14th, not April 24th.

If there be any point agreed upon in Mary's hiſtory, it is, that ſhe remained at Dunbar from the time that Bothwell carried her thither, till ſhe returned to Edinburgh along with him in the beginning of May. Our author himſelf allows that ſhe reſided twelve days there, vol. i. 367. Now though there are deeds in the records which bear that they were ſigned by the Queen at Dun-

[a] N. B. In ſome of the early editions of this Diſſertation, another inſtance of the ſame nature with thoſe which go before and follow was mentioned; but that, as has ſince been diſcovered, was founded on a miſtake of the perſon employed to ſearch the records, and is therefore omitted in this edition. The reaſoning, however, in the Diſſertation ſtands ſtill in force, notwithſtanding this omiſſion.

bar during that time, yet there are others which bear that they were ſigned at Edinburgh; e. g. there is one at Edinburgh, April 27th, Privy-ſeal, lib. 36. fol. 97. There are others ſaid to be ſigned at Dunbar on that day. Lib. 31. Chart. No. 524, 526. Ib. lib. 32. No. 154. 157. There are ſome ſigned at Dunbar April 28th. Others at Edinburgh April 30th, lib. 32. Chart. No. 492. Others at Dunbar May 1ſt. Id. ibid. No. 158. Theſe different charters ſuppoſe the Queen to have made ſo many unknown, improbable, and inconſiſtent journeys, that they afford the cleareſt demonſtration that the dates in theſe records ought not to be depended on.

THIS becomes more evident from the date of the charter ſaid to be ſigned April 27th, which happened that year to be a Sunday, which was not, at that time, a day of buſineſs in Scotland, as appears from the books of *ſederunt*, then kept by the Lords of Seſſion.

FROM this ſhort review of our author's proof of the forgery of the letters to Bothwell, it is evident that his arguments are far from amounting to demonſtration.

ANOTHER argument againſt the genuineneſs of theſe letters is founded on the ſtyle and compoſition, which are ſaid to be altogether unworthy of the Queen, and unlike her real productions. It is plain, both from the great accuracy of compoſition in moſt of Mary's letters, and even from her ſolicitude to write them in a fair hand, that ſhe valued herſelf

herſelf on thoſe accompliſhments, and was deſirous of being eſteemed an elegant writer. But when ſhe wrote at any time in a hurry, then many marks of inaccuracy appear. A remarkable inſtance of this may be found in a paper publiſhed, Good. ii. 301. Mary's letters to Bothwell were written in the utmoſt hurry; and yet under all the diſadvantages of a tranſlation, they are not deſtitute either of ſpirit or of energy. The manner in which ſhe expreſſes her love to Bothwell has been pronounced indecent and even ſhocking. But Mary's temper led her to warm expreſſions of her regard; thoſe refinements of delicacy, which now appear in all the commerce between the ſexes, were, in that age, but little known, even among perſons of the higheſt rank. Among the Earl of Hardwicke's papers there is a ſeries of letters, from Mary to the Duke of Norfolk, copied from the Harleian Library, P. 37. B. 9. Fol. 88. in which Mary declares her love to that nobleman in language which would now be reckoned extremely indelicate; Hardw. State Papers, i. 189, &c.

Some of Mary's letters to Bothwell were written before the murder of her huſband; ſome of them after that event, and before her marriage to Bothwell. Thoſe which are prior to the death of her huſband abound with the fondeſt expreſſions of her love to Bothwell, and excite ſomething more than a ſuſpicion that their familiarity had been extremely criminal. We find in them, too, ſome dark expreſſions, which her enemies employed to prove that ſhe was no ſtranger to the ſchemes which were forming againſt her huſ-

band's life. Of this kind are the following paſſages, " Alace! I nevir diſſavit ony body; bot I remit me altogidder to zour will. Send me advertiſement quhat I ſall do, and quhatſaever thing come thereof, I ſall obey zow. Adviſe to with zourſelf, gif ze can find out ony mair ſecret inventioun by medicine, for he ſuld tak medicine and the bath at Craigmillar." Good. ii. 22. " See not hir quhais fenzeit teiris ſuld not be ſa meikle praiſit and eſtemit, as the trew and faithfull travellis quhilk I ſuſtene for to merit hir place. For obtaining of the quhilk, aganis my natural, I betrayis thame that may impeſche me. God forgive me," &c. Ibid. 27. " I have walkit later thairup, than I wald have done, gif it had not been to draw ſomething out of him, quhilk this berer will ſchaw zow, quhilk is the faireſt commodity that can be offerit to excuſe zour affairis." Ibid. 32. From the letters poſterior to the death of her huſband, it is evident that the ſcheme of Bothwell's ſeizing Mary by force, and carrying her along with him, was contrived in concert with herſelf, and with her approbation [c].

With

[c] That letters of ſo much importance as thoſe of Mary to Bothwell ſhould have been entirely loſt, appears to many altogether unaccountable. After being produced in England before Elizabeth's commiſſioners, they were delivered back by them to the Earl of Murray. Good. ii. 235. He ſeems to have kept them in his poſſeſſion during life. After his death, they fell into the hands of Lennox his ſucceſſor, who reſtored them to the Earl of Morton. Good. ii. 91. Though it be not neceſſarily connected with any of the queſtions which gave occaſion,

WITH reſpect to the Sonnets, Sir David Dalrymple has proved clearly, that they muſt have

to this Diſſertation, it may perhaps ſatisfy the curioſity of ſome of my readers to inform them, that, after a very diligent ſearch, which has lately been made, no copy of Mary's letters to Bothwell can be found in any of the public libraries in Great Britain. The only certain intelligence concerning them, ſince the time of their being delivered to Morton, was communicated by the accurate Dr. Birch.

EXTRACT of the letters of Robert Bowes, Eſq; ambaſſador from Queen Elizabeth to the King of Scotland, written to Sir Francis Walſingham, ſecretary of ſtate, from the original regiſter book of Mr. Bowes's letters, from 15th of Auguſt 1582, to 28th September 1583, in the poſſeſſion of Chriſtopher Hunter, M. D. of Durham.

1582, 8th November, from Edinburgh.

ALBEIT I have been borne in hand, That the coffer wherein were the originals of letters between the Scottiſh Queen and the Earl of Bothwell, had been delivered to ſundry hands, and thereby was at preſent wanting, and unknown where it reſted, yet I have learned certainly by the Prior of Pluſcardyne's means, that both the coffer and alſo the writings are come, and now remain with the Earl of Gowrie, who, I perceive, will be hardly intreated to make delivery to her Majeſty according to her Majeſty's deſire.

THIS time paſt I have expended in ſearching where the coffer and writings were, wherein without the help of the Prior I ſhould have found great difficulty; now I will eſſay Gowrie, and of my ſucceſs you ſhall be ſhortly advertiſed.

12th of November 1582, from Edinburgh.

BECAUSE I had both learned, that the caſket and letters mentioned in my laſt, before theſe were come to the poſſeſſion of the Earl of Gowrie, and alſo found that no mean might prevail to win the ſame out of his hands without his own conſent and privity; in which behalf I had employed fit inſtruments, that

have been written after the murder of the King, and prior to Mary's marriage with Bothwell.

that nevertheleſs profited nothing; therefore, I attempted to eſſay himſelf, letting him know that the ſaid caſket and letters ſhould have been brought to her Majeſty by the offer and good means of good friends, promiſing to have delivered them to her Majeſty before they came into his hands and cuſtody, and knowing that he did bear the like affection, and was ready to pleaſure her Majeſty in all things, and chiefly in this that had been thus far tendered to her Majeſty, and which thereby ſhould be well accepted, and with princely thanks and gratuity be requited to his comfort and contentment; I moved him that they might be a preſent to be ſent to her Majeſty from him, and that I might cauſe the ſame to be conveyed to her Majeſty, adding hereunto ſuch words and arguments as might both ſtir up a hope of liberality, and alſo beſt effect the purpoſe. At the firſt he was loth to agree that they were in his poſſeſſion; but I let him plainly know that I was certainly informed that they were delivered to him by Sanders Jardin; whereupon he preſſed to know who did ſo inform me, enquiring whether the ſons of the earl of Morton had done it or no. I did not otherwiſe in plain terms deny or anſwer thereunto, but that he might think that he had told me, as the Prior is ready to avouch, and well pleaſed that I ſhall give him to be the author thereof; after he had ſaid [though] all theſe letters were in his keeping (which he would neither grant nor deny) yet he might not deliver them to any perſon without the conſents and privities, as well of the King, that had intereſt therein, as alſo of the reſt of the noblemen enterpriſers of the action againſt the King's mother, and that would have them kept as an evidence to warrant and make good that action. And albeit I replied, that their action in that part touching the aſſignation of the crown to the King by his mother, had received ſuch eſtabliſhment, confirmation, and ſtrength, by acts of parliament and other public authority and inſtruments, as neither ſhould that caſe be ſuffered to come in debate or queſtion, nor ſuch ſcrolls and papers ought to be ſhewed for the ſtrengthening thereof, ſo as theſe might well be left and be rendered to the hands of her Majeſty, to whom they were deſtined before

well. But as hardly any part of my narrative is founded upon what is contained in the Sonnets,

fore they fell in his keeping; yet he would not be removed or satisfied; concluding, after much reasonings, that the Earl of Morton, nor any other that had the charge and keeping thereof, durst at any time make delivery; and because it was the first time that I had moved him therein, and that he would gladly both answer her Majesty's good expectation in him, and also perform his duty due to his sovereign and associates in the action aforesaid; therefore he would seek out the said casket and letters, at his return to his house, which he thought should be within a short time; and upon finding of the same, and better advice and consideration had of the cause, he would give further answer. This resolution I have received as to the thing; and for the present I could not better, leaving him to give her Majesty such testimony of his good will towards her, by his frank dealing herein, as she may have cause to confirm her Highnesses good opinion conceived already of him, and be thereby drawn to greater goodness towards him. I shall still labour him both by myself and also by all other means; but I greatly distrust the desired success herein.

24th of November 1582, from Edinburgh.

For the recovery of the letters in the coffer, come to the hands of the Earl of Gowrie, I have lately moved him earnestly therein, letting him know the purpose of the Scottish Queen, both giving out that the letters are counterfeited by her rebels, and also seeking thereon to have them delivered to her or defaced, and that the means which she will make in this behalf shall be so great and effectual, as these writings cannot be safely kept in that realm without dangerous offence of him that hath the custody thereof, neither shall he that is once known to have them be suffered to hold them in his hands. Herewith I have at large opened the perils likely to fall to that action, and the parties therein, and particularly to himself that is now openly known to have the possession of these writings, and I have lettin him see what surety it shall bring to the said cause and all the parties therein, and to himself, that these writings may be with secrecy and good order committed to the keeping of

Sonnets, and as in this Diſſertation I have been conſtrained to dwell longer upon minute and verbal

of her Majeſty, that will have them ready whenſoever any uſe ſhall be for them, and by her Highneſſes countenance defend them and the parties from ſuch wrongful objections as ſhall be laid againſt them, offering at length to him, that if he be not fully ſatisfied herein, or doubt that the reſt of the aſſociates ſhall not like of the delivery of them to her Majeſty in this good manner, and for the intereſt rehearſed, that I ſhall readily, upon meeting and conference with them, procure their aſſent in this part (a matter more eaſy to offer than to perform); and laſtly, moving him that (for the ſecrecy and benefit of the cauſe, and that her Majeſty's good opinion towards himſelf may be firmly ſettled and confirmed by his acceptable forwardneſs herein) he would, without needleſs ſcruple, frankly commit theſe writings to her Majeſty's good cuſtody for the good uſes received. After long debate he reſolved, and ſaid, that he would unfeignedly ſhew and do to her Majeſty all the pleaſure that he might without offence to the King his Sovereign, and prejudice to the aſſociates in the action, and therefore he would firſt make ſearch and view the ſaid letters, and herein take advice what he might do, and how far he might ſatisfy and content her Majeſty; promiſing thereon to give more reſolute anſwer; and he concluded flatly, that after he had found and ſeen the writings, that he might not make delivery of them without the privity of the King. Albeit I ſtood long with him againſt his reſolution in this point, to acquaint the King with this matter before the letters were in the hands of her Majeſty, letting him ſee that his doings there ſhould admit great danger to the cauſe; yet I could not remove him from it. It may be that he meaneth to put over the matter from himſelf to the King, upon ſight whereof I ſhall travel effectually to obtain the King's conſent, that the letters may be committed to her Majeſty's keeping, thinking it more eaſy to prevail herein with the King, in the preſent love and affection that he beareth to her Highneſs, than to win any thing at the hands of the aſſociates in the action, whereof ſome principal of them now come and remain at the devotion of the King's mother; in this I ſhall ſtill call

on

bal criticiſms, than may be intereſting or agreeable to many of my readers, I ſhall reſt ſatisfied with referring, for information concerning every particular relative to the Sonnets, to *Remarks on the Hiſtory of Scotland*, Chap. XI.

HAVING thus ſtated the proof on both ſides; having examined at ſo great a length the different ſyſtems with regard to the facts in controverſy; it may be expected that I ſhould now pronounce ſentence. In my opinion, there are only two concluſions, which can be drawn from the facts which have been enumerated.

ONE, that Bothwell, prompted by his ambition or love, encouraged by the Queen's known aver-

on Gowrie, to ſearch out the coffer, according to his promiſe; and as I ſhall find him minded to do therein, ſo ſhall I do my beſt and whole endeavour to effect the ſucceſs to her Majeſty's beſt contentment.

2d December 1582, from Edinburgh.

BECAUSE I ſaw good opportunity offered to renew the matter to the Earl of Gowrie for recovery of the letters in the coffer in his hands, therefore I put him in mind thereof; whereupon he told me, that the Duke of Lennox had ſought earneſtly to have had thoſe letters, and that the King did know where they were, ſo as they could not be delivered to her Majeſty without the King's privity and conſent, and he pretended to be ſtill willing to pleaſure her Majeſty in the ſame, ſo far as he may with his duty to the King and to the reſt of the aſſociates in that action; but I greatly diſtruſt to effect this to her Majeſty's pleaſure, wherein, nevertheleſs, I ſhall do my uttermoſt endeavours.

WHETHER James VI. who put the Earl of Gowrie to death, A. D. 1584, and ſeized all his effects, took care to deſtroy his mother's letters, for whoſe honour he was at that time extremely zealous; whether they have periſhed by ſome unknown accident; or whether they may not ſtill remain unobſerved among the archives of ſome of our great families, it is impoſſible to determine.

For

ſion to her huſband, and preſuming on her attachment to himſelf, ſtruck the blow without having concerted with her the manner or circumſtances of perpetrating that crime. That Mary, inſtead of teſtifying much indignation at the deed, or diſcovering any reſentment againſt Bothwell, who was accuſed of having committed it, continued to load him with marks of her regard, conducted his trial in ſuch a manner as rendered it impoſſible to diſcover his guilt, and ſoon after, in oppoſition to all the maxims of decency or of prudence, voluntarily agreed to a marriage with him, which every conſideration ſhould have induced her to deteſt. By this verdict, Mary is not pronounced guilty of having contrived the murder of her huſband, or even of having previouſly given her conſent to his death; but ſhe is not acquitted of having diſcovered her approbation of the deed, by her behaviour towards him who was the author of it.

The other concluſion is that which Murray and his adherents laboured to eſtabliſh, "That James, ſometymme Erle of Bothwile, was the chiefe executor of the horribill and unworthy murder, perpetrat in the perſon of umquhile King Henry of gude memory, fader to our Soveraine Lord, and the Queenis lauchfull huſband; ſa was ſhe of the foreknowledge, counſall, deviſe, perſwadar and commander of the ſaid murder to be done." Good. ii. 207.

Which of theſe concluſions is moſt agreeable to the evidence that has been produced, I leave my readers to determine.

APPENDIX.

No. I. (Vol. I. p. 216.)

A MEMORIAL of certain points meet for reſtoring the realm of SCOTLAND to the antient weale.

IMPRIMIS, it is to be noted, that the beſt worldly felicity that Scotland can have, is either to continue in a perpetual peace with the kingdom of England, or to be made one monarchy with England, as they both make but one iſland, divided from the reſt of the world. 5th Auguſt 1559, Cotton. Lib. Cal. B. 10. fol. 17. From a copy in ſecretary Cecil's hand.

IF the firſt is ſought, that is, to be in perpetual peace with England, then muſt it neceſſarily be provided, that Scotland be not ſo ſubject to the appointments of France, as is preſently, which, being an antient enemy to England, ſeeketh always to make Scotland an inſtrument, to exerciſe, thereby, their malice upon England, and to make a foot-ſtool thereof to look over England as they may.

THEREFORE, when Scotland ſhall come into the hands of a mere Scottiſh man in blood, then may there be hope of ſuch accord; but as long as it is at the commandment of the French, there is no hope to have accord long betwixt theſe two realms.

THEREFORE ſeeing it is at the French King's commandment by reaſon of his wife, it is to be conſidered for the weale of Scotland, that until ſhe have children, and during her abſence out of the realm, the next heirs to the crown, being the houſe of the Hamiltons, ſhould have regard hereto, and to ſee that neither the crown be impoſed nor waſted; and, on the other ſide, the nobility and commonalty ought to force that the laws and the old cuſtoms of the realm be not altered, neither that the country be not impoveriſhed by taxes, empreſt, or new impoſts, after the manner

manner of France; for proviſion wherein, both by the law of God and man, the French king and his wife may be moved to reform their miſgovernance of the land.

And for this purpoſe, it were good that the nobility and commons joined with the next heir of the crown, to ſeek due reformation of ſuch great abuſes as tend to the ruin of their country, which muſt be done before the French grow too ſtrong and inſolent.

First, That it may be provided, by conſent of the three eſtates of the land, that the land may be free from all idolatry like as England is; for juſtification whereof, if any free general council may be had where the Pope of Rome have not the ſeat of judgment, they may offer to ſhew their cauſe to be moſt agreeable to Chriſt's religion.

Next, to provide that Scotland might be governed, in all rules and officers, by the antient blood of the realm, without either captains, lieutenants, or ſoldiers, as all other Princes govern their countries, and eſpecially that the forts might be in the hands of mere Scottiſh men.

Thirdly, that they might never be occaſioned to enter into wars againſt England, except England ſhould give the firſt cauſe to Scotland.

Fourthly, that no nobleman of Scotland ſhould receive penſion of France, except it were whilſt he did ſerve in France, for otherwiſe thereby the French would ſhortly corrupt many to betray their own country.

Fifthly, that no office, abbey, living, or commodity, be given to any but mere Scottiſh men, by the aſſent of the three eſtates of the realm.

Sixth, that there be a council in Scotland appointed in the queen's abſence, to govern the whole realm, and in thoſe caſes not to be directed by the French.

Seventhly, that it be by the ſaid three eſtates appointed how the queen's revenue of the realm ſhall be expended, how much the queen ſhall have for her portion and eſtate during her abſence, how much ſhall be limited to the governance and defence of the realm, how much yearly appointed to be kept in treaſure.

In theſe, and ſuch like points, if the French king and the queen be found unwilling, and will withſtand theſe proviſions for the weale of the land, then hath the three eſtates of the realm authority, forthwith, to intimate to the ſaid king and queen their humble requeſts; and if the ſame be not effectually granted, then humbly they may commit

commit the governance thereof to the next heir of the crown, binding the ſame alſo to obſerve the laws and antient rights of the realm.

FINALLY, If the queen ſhall be unwilling to this, as it is likely ſhe will, in reſpect of the greedy and tyrannous affection of France, then it is apparent that Almighty God is pleaſed to transfer from her the rule of the kingdom for the weale of it, and this time muſt be uſed with great circumſpection, to avoid the deceipts and tromperies of the French.

AND then may the realm of Scotland conſider, being once made free, what means may be deviſed by God's goodneſs, to accord the two realms, to endure for time to come at the pleaſure of Almighty God, in whoſe hands the hearts of all princes be.

No. II. (Vol. I. p. 226.)

A letter of Maitland of Lethington's, thus directed:

To my loving friend James. Be this delivered at London.

I UNDERSTAND by the laſt letter I received from yow, that diſcourſing with zour countrymen upon the matter of Scotland, and commoditeys may enſew to that realm hereafter, giff ze preſently aſſiſt ws with zour forces, ze find a nombre of the contrary adviſe, doubting that we ſall not at length be found truſty friends, nor mean to contynew in conſtant ametye, albeit we promiſe, but only for avoyding the preſent danger make zow to ſerve our turne, and after being delivered, becum enemies as of before. For profe quhareof, they alledge things that have paſt betwixt ws heretofore, and a few preſumptiones tending to the ſam end, all grounded upon miſtruſt; quhilks, at the firſt ſicht, have ſome ſhewe of apparance, gif men wey not the circumſtances of the matter; but gif they will confer the tyme paſt with the preſent, conſider the nature of this caus, and eſtate of our contrye, I doubt not but jugement ſal be able to baniſh miſtruſt. And firſt, I wad wiſh ze ſhould examyne the cauſes off the old inmitye betwixt the realms of England and Scotland, and quhat moved our

20th January 1559-60. Cott. Lib. Cal. B. ix. From the original in his own hand.

anceſtours to enter into ligue with the Frenche; quhilke by our ſtoreys and regiſtres off antiquiteys appear to be theſe. The princes of England, ſome tyme, alledging a certain kynde of ſoveraintye over this realm; ſome tyme upon hye courage, or incited by incurſions off our bordourares, and ſemblable occaſions, mony tymes enterpriſed the conqueſt of ws, and ſa far furth preiſt it by force off armes, that we wer dryven to great extramiteys, by loſs of our princes, our noblemen, and a good part of our cuntrey, ſa that experience taught ws that our owne ſtrength was ſcarſe ſufficient to withſtand the force of England. The Frenche zour auncient enemies, conſidering well how nature had ſa placed ws in a iſland with zow, that na nation was able ſa to annoye England as we being enemyes, ſoucht to joine ws to theym in ligue, tending by that meane to detourne zour armyes from the invaſion off France, and occupy zow in the defence of zour country at hame, offering for that effect to beſtowe ſome charges upon ws, and for compaſſing off theyr purpos, choyſed a tyme to propone the matter, quhen the freſche memory of injuris lately receaved at zour hands, was ſa depely prented on our hartes, that all our myndes were occupied how to be revenged, and arme ourſelſes with the powar of a forayne prince againſt zour enterpriſes thereafter.

THIS wes the beginning off our confederacy with France. At quhilk tyme, our cronicles maks mention, that ſome off the wyſeſt foreſaw the perril, and ſmall frute ſhould redound to us thereof at lenth: zit had affection ſa blinded jugement, that the adviſe of the maiſt part overcame the beſt. The maiſt part of all querells betwixt ws ſince that tyme, at leaſt quhen the provocation came on our ſyde, hes ever fallen out by theyr procurement rather than any one caus off our ſelfes: and quhenſaever we brack the peace, it come partly by theyr intyſements, partly to eſchew the conqueſt intended by that realm. But now hes God's providence ſa altered the caſe, zea changed it to the plat contrary, that now hes the Frenſche taken zour place, and we, off very jugement, becum deſyrous to have zow in theyr rowme. Our eyes are opened, we eſpy how uncareful they have been of our weile at all tymes, how they made ws ever to ſerve theyr turne, drew us in maiſt dangerous weys for theyre commodite, and nevertheleſs wad not ſtyck, oft tymes, againſt the honour of the ligue, to contrak peace, leaving ws in weyr. We ſae that their

ſupport, off late zeres, wes not grantit for any affection they bare to ws, for pytie they had off our eſtate, for recompenſe of the lyke friendſhip ſchawin to theym in tyme off theyr afflictiones, but for ambition, and inſaciable cupiditie to reygne, and to mak Scotland ane acceſſary to the crown of France. This was na friendly office, but mercenary, craving hyre ſarre exceeding the proportion of theyr deſerving; a hale realm for the defence of a part. We ſee theym manifeſtly attempt the thing we ſuſpected off zow; we feared ze ment the conqueſt off Scotland, and they are planely fallen to that work; we hated zow for doubt we had ze ment evill towards ws, and ſall we love theym, quhilks bearing the name off frends, go about to bring ws in maiſt vile ſervitude? Gif by zour frendly ſupport at this tyme, ze ſall declare that not only ſeek ze not the ruyne of our country, but will preſerve the libertie thereof from conqueſt by ſtrangeares, ſall not the occaſion off all inimite with zow, and ligue with theym, be taken away? The cauſes being removed, how ſall the effectes remane? The fear of conqueſt made us to hate zow and love theym, the cais changed, quhen we ſee theym planely attempt conqueſt, and zow ſchaw ws friendſhip, ſall we not hate theym, and favour zow? Gif we have ſchawne ſa great conſtance, continuing ſa mony zeares in amity with theym, off quhome we had ſa ſmall commodite, quhat ſall move us to breake with zow, that off all nations may do ws greateſt pleſour?

But ze will ſay, this matter may be reconcyled, and then frends as off before. I think weill peace is the end of all weyr, but off this ze may be aſſured, we will never ſa far truſt that reconciliation, that we wil be content to forgo the ametye of England, nor do any thing may bring ws in ſuſpicion with zow. Giff we wold, at any tyme to pleaſe theym, break with zow, ſhould we not, beſydes the loſſe off eſtimation and diſcrediting off ourſelfes, perpetually expone our common weill to a maiſt manifeſt danger, and becum a prey to theyr tyranny? Quhais aid could we implore, being deſtitute of zour friendſhip, gif they off new wald attempt theyr formar enterpriſe? Quhat nation myght help ws giff they wald, or wald giff they might? and it is lyke eneuch, thay will not ſtick hereafter to tak theyr tyme off ws, quhen diſpleſour and grudge hes taken depe rute on baith ſydes, ſeeing ambition has ſa impyrit ower theyr reaſon, that before we had ever done

any thing myght offend theym, but by the contrary pleaſed them by right and wrang, they did not ſtick to attempte the ſubverſion of our hale ſtate. I wald ze ſhould not eſteeme ws ſa barayne of jugement, that we cannot foreſee our awne perril; or ſa fooliſche, that we will not ſtudy by all gode means to entertayne that thing may be our ſafetye; quhilk conſiſtes in all the relaying of zour friendſhips. I pray zow conſider in like caſe, when, in the days of zour princes off maiſt noble memory king Henry the VIII. and king Edward the VI. meanes were opened off amytye betwixt baith realms; was not at all tymes the difference of religion the onley ſtay they were not embraced? Did not the craft of our clergy and power of theyr adherents ſubvert the deviſes of the better ſort? But now has God off his mercy removed that block furth off the way; now is not theyr practice lyke to tak place any mare, when we ar comme to a conformity off doctrine, and profes the ſame religion with zow, quhilk I take to be the ſtrayteſt knot of amitye can be deviſed. Giff it may be alledged, that ſome of our countrymen, at ony tyme, violated theyr promis? giff ze liff to way the circumſtances, ze ſall find the promis is rather brought on by neceſſite, after a great overthraw off our men, then comme off fre will, and tending ever to our great incommodite and decay off our haill ſtate, at leiſt ſa taken. But in this caſe, ſall the preſervation of our libertie be inſeparably joined with the keping off promeſſe, and the violation of our fayth caſt ws in maiſt miſerable ſervitude. So that giff neyther the fear off God, reverence of man, religion, othe, promiſe, nor warldly honeſtye wes ſufficient to bynd us, yet ſall the zeale of our native countrey, the maintenance off our own eſtate, the ſafety of our wyffes and childrene from ſlavery, compell ws to kepe promiſſe. I am aſſured, it is trewly and ſincerely ment on our part to continew in perpetual ametye with zow; it ſall be uttered by our proceedings. Giff ze be as deſyrous of it as we ar, aſſurances may be devyſed, quharby all partyes will be out of doubte. There be gode meanes to do it, fit inſtruments for the purpos, tyme ſerves weill, the inhabitants of baith realms wiſh it, God hes wrought in the people's hartes on bayth parties a certaine ſtill agreement upon it, never did, at any tyme, ſo mony things concurre at ones to knyt it up, the diſpoſition of a few, quhais harts are in Godis hands, may mak

up

up the hale. I hope he quha hes begun his work, and mainteyned it quhile now, by the expectation of man, ſall perfyte it.

I PRAY zow, let not zour men dryve tyme in conſultation, quhether ze ſall ſupport ws or no. Seyng the mater ſpeaketh for itſelf, that ze mon take upon zow the defence off our caus, giff ze have any reſpect for zour awne weill. Their preparatives in France, and levying of men in Germany, (quheyroff I am lately advertiſed) ar not altogydder ordeyned for us, ze ar the mark they ſhote at; they ſeke our realme, but for ane entrey to zours. Giff they ſhould directly ſchaw hoſtilite to zow, they knaw zo wald mak redy for theyme, therefor they do, by indirect meanes, to blind zow, the thing, they dare not as zit planely attempte. They ſeme to invade us to th' end that having aſſembled theyr hayle forces ſa nere zour bordours, they may unlok it to attack zow: It is ane of theyr ald fetches, making a ſchew to one place, to lyght on ane other. Remember how covertly zour places about Boulougne were aſſaizeit, and carryed away, ze being in peace as now. How the enterpriſe of Calais was fynely diſſembled, I think ze have not ſa ſone forgotten. Beware of the third, prevent theyr policy by prudence. Giff ze ſe not the lyke diſpoſition preſently in theym, ze ſe nathing. It is a groſſe ignorance to miſknaw, what all nations planely ſpeks off. Tak hede ze zay not hereafter, "Had I wiſt;" ane uncomely ſentence to procede off a wyſe man's mouth. That is onwares chanced on to zow, quhilk zow commonly wiſſed, that this countrey myght be divorſed from the Frenſche, and is ſa comme to paſs as was maiſt expedient for zow. For giff by your intyſement we had taken the mater in hand, ze myght have ſuſpected we would have been untruſty frends, and na langer continued ſtedfaſte, then perril had appeared. But now, quhen off our ſelf, we have conceyved the hatered, provoked by private injuries, and that theyr evil dealing with ws hes deſerved our inimitye, let no man dobte but they ſall fynde ws ennemyes in erneſt, that ſa ungently hes demeyned our countrey, and at quhais hands we can look for nathing but all extremitye, giff ever they may get the upper hand. Let not this occaſion, ſa happely offered, eſcape zow: giff ze do, neglecting the preſent opportunitie, and hoping to have ever gode luk comme ſleaping upon zow, it is to be feared zour enemye

waxe ſo great, and ſa ſtrang, that afterwards quhen ze wald, ze ſall not be able to put him down; and then, to zour ſmart, after the tyme, ze will acknowledge zour error. Ze have felt, by experience, quhat harme cometh of overſight, and truſting to zour enemyes promeſſe. We offer zow the occaſion, quheyrby zour former loſſes may be repayred. Quhilk gif ze let over ſlyde, ſuffering ws to be overrun, quha then, I pray zow, ſall ſtay the Frenſche, that they ſall not invade zow in zour own boundes, ſick it is their luſt to reygne, that they can neither be content with theyr fortune preſent, nor reſt and be ſatisfied when they have gode luck, but will ſtill follow on, having in theyr awne brayne conceaved the image of ſa great a conqueſt, quhat think ye ſal be the end? Is ther any of ſa ſmall jugement, that he doth not foreſee already, that theyr hail force ſall then be bent againſt zow?

It ſall not be amis, to conſider in quhat caſe the Frenſche be preſently. Theyr eſtate is not always ſa calme at hame as every man thinketh. And trewly it wes not theyr great redines for weyr made theym to tak this mater on hand, at this tyme, but rather á vayne truſt in their awne policy, thinking to have found na reſiſtance, their opinion hes deceaved theym, and that makes them now amaſed. The eſtates off the empire (as I heare) has ſuted reſtitution off the' Imperial towns Metz, Toull, and Verdun, quhilk may grow to ſome beſynes; and all thing is not a calme within theyr awne countrey, the leſs fit they be preſently for weyr, the mare opportune eſteme ye the time for zow. Giff the lyke occaſion were offered to the Frenſche againſt zow, wey, how gladly would they embrace it. Are ze not eſchamed of zour ſleuth, to ſpare theym that hes already compaſſed zour deſtruction, giff theym wer able? Conſider with zour ſelf quhilks is to be choyſed? To weyr againſt them out with zour realme or within? Giff quhill ze ſleape, we ſal be overthrowne, then ſall they not fayle to ſute zow in zour awne countrey, and uſe ws as a fote ſtole to overloke zow. But ſome will ſay, perhaps, they meane it not. It is ſoly to think they wald not giff they wer able, quhen before hand they ſtick not to giff zour armes, and uſurpe the ſtyle of zour crown. Then quhat difference there is to camp within zowr awne bounds or without, it is manifeſt. Giff twa armyes ſhould camp with in zowr country, but a

moneth;

moneth; albeit ye receaved na other harme, zit ſhould zowr loſſe be greatar, nor all the charge ze will nede to beſtow on our ſupport will draw to, beſydes the diſhonour.

LET not men, that eyther lack gode adviſe, or ar not for particular reſpects weill affected to the caus, move zow to ſubtract zour helping hand, by alleging things not apparent, for that they be poſſible. It is not, I grant, unpoſſible that we may receave conditiones of peace; but I ſee little likelyhode that our ennemyes will offer ws ſik as will remove all miſtruſt, and giff we wald have accepted others, the mater had bene lang or now compounded. Let zow not be moved for that they terme ws rebelles, and diffames our juſt quereil with the name of conſpiracy againſt our ſoverayne. It is hir hyenes right we manetayne. It is the liberty off hir realm we ſtudy to preſerve, with the hazard of our lyves. We are not (God knaweth) comme to this poynt for wantones, as men impatient of rewll, or willing to ſchake of the zoke of government, but ar drawne to it by neceſſite, to avoyde the tyranny of ſtrangeares, ſeaking to defraude ws of lawful government. Giff we ſhould ſuffer ſtrangeares to plant themſelffes peaceably in all the ſtrenthes of our realme, fortify the ſeyportes, and maiſt important places, as ane entre to a plain conqueſt, now in the minoritie of our ſoverane, beyng furth of the realme, ſhould we not be thought oncareful off the common weill, betrayares of our native countrey, and evill ſubjects to hir majeſte? Quhat other opinion could ſche have off ws? Might ſhe not juſtly hereafter call ws to accompt, as negligent miniſteres? Giff ſtrangeares ſhould be thus ſuffered to broke the chefe offices, beare the hail rewll, alter and pervert our lawes and liberty at theyr plefour; myght not the people eſteem our noblemen unworthy the place of counſalours? We mean na wyſe to ſubtrak our obedience from our ſoverane, to defraud hir hyenes off her dew reverence, rents and revenues off hir crown. We ſeke nathing but that Scotland may remane, as of before, a fre realme, rewlit by hir hyenes and hir miniſteres borne men of the ſam; and that the ſucceſſion of the crown may remane with the lawful blode.

I WALD not ze ſould not ſa lyttil eſteme the friendſhip of Scotland, that ze juged it not worthy to be embraced. It ſall be na ſmall commodite for zow to be delivered off

the anoyance of ſo neir a nyghtbour, quhais inimitye may more trouble zow, then off any other nation albeit twyſs as puiſſant, not lyeng dry marche with zow. Beſydes that ze ſall not nede to feare the invaſion off any prince lacky-ing the commodite to invade zow by land, on our land. Conſider quhat ſuperfluous charge ze beſtowe on the for-tification and keping of Barwick; quhilk ze may reduce to a mean ſowme, having ws to frendes. The realme of Ireland being of natour a gode and fertill countrey, by reaſon off the continewall unquietnes and lak of policey, ze knaw to be rather a burthen unto zow then great ad-vantage; and giff it were peaceable may be very commo-dious. For pacification quhayroff, it is not onknowne to zow quhat ſervice we ar abill to do. Refuſe not theyr commoditeys, beſides mony ma quhen they ar offred. Quhilks albeit I ſtudy not to amplify and dilate, yet is na other countrey able to offer zow the lyke, and are the rather to be embraced, for that zour aunceſtors, by all meanes, maiſt erneſtly ſuted our amity, and yet it was not theyr hap to come by it. The mater hes almaiſt carryed me beyond the boundes of alattre, quharfor I will leave to trouble zow after I have geven you this note. I wald wiſs that ze, and they that ar learned, ſould rede the twa former orations of Demoſthenes, called Olynthiacæ, and conſidere quhat counſall that wyſe oratour gave to the Athenians, his countrymen, in a lyke caſe; quhilk hes ſo great affinite with this cauſe of ours, that every word therof myght be applyed to our purpos. There may ze learne of him quhat adviſe is to be followed, when zour nyghtbours hous is on fyre: Thus I bid zow heartily fareweill. From Sant Andrews, the 20th of January, 1559.

No. III. (Vol. I. p. 234.)

Part of a letter from Tho. Randolph to Sir William Cecil, from the camp before Leith, 29th of April 1560.

An Original in the Paper Office.

I WILL only, for this time, diſcharge myſelf of my promiſe to the earl of Huntly, who ſo deſyreth to be recommended to you, as one, who with all his heart favoureth this cauſe, to the uttermoſt of his power. Half the words that come out of his mouth were able to per-ſuade an unexperienced man to ſpeak farther in his be-

half, than I dare be bold to write. I leave it to your honour to judge of him, as of a man not unknown to you, and will myſelf always meaſure my thoughts, as he ſhall deſerve to be ſpoken of. With much difficulty, and great perſuaſion, he hath ſubſcribed with the reſt of the lords to join with them in this action; whatſomever he can invent to the furtherance of this cauſe, he hath promiſed to do with ſolemn proteſtation, and many words; he truſteth to adjoin many to this cauſe; and ſaith ſurely that no man ſhall lie where he taketh part. He hath this day ſubſcribed a bond between England and this nation; he ſaith, that there was never thing that liked him better.

No. IV. (Vol. I. p. 248.)

Randolph to Cecil, 10th Auguſt 1560. From Edinburgh.

SINCE the 29th of July, at what time I wrote laſt to your honour, I have heard of nothing worth the reporting. At this preſent it may pleaſe you to know, that the moſt part of the nobles are here arrived, as your honour ſhall receive their names in writing. The earl of Huntly excuſeth himſelf by an infirmity in his leg. His lieutenant for this time is the lord of Lidington, choſen ſpeaker of the parliament, or harangue maker as theſe men term it. The firſt day of their ſitting in parliament will be on Thurſday next. Hitherto as many as have been preſent of the lords have communed and deviſed of certain heads then to be propounded, as, who ſhall be ſent into France, who into England. It is much eaſier to find them than the other. It ſeemeth almoſt to be reſolved upon that for England the Maſter of Maxwell, and laird of Lidington. For France, Pitarrow and the Juſtice Clerk. Alſo they have conſulted whom they think meeteſt to name for the XXIV. of the which the XII. counſellors muſt be choſen. They intend very ſhortly to ſend away Dingwall the herald into France, with the names of thoſe they ſhall chuſe; and alſo to require the king and queen's conſent unto this parliament. They have deviſed how to have the contract with England confirmed by authority of parliament; how alſo to have the articles of the agreement between them and their king and queen ratified. Theſe

An Original in the Paper Office.

Theſe things yet have only been had in communication. For the confirmation of the contract with England I have no doubt; for that I hear many men very much like the ſame, as the Earl of Athol, the Earl of Sutherland, the L. Glamis, who dined yeſterday with L. James. The Lord James requeſted me this preſent day to bring the contract unto him. I intend alſo, this day, to ſpeak unto the L. Gray, in our L. Gray's name, for that he promiſed in my hearing to ſubſcribe, and then preſently would have done it, if the contract could have been had. For the more aſſurance againſt all inconvenients, I would beſides that, that I truſt it ſhall be ratified in parliament, that every nobleman in Scotland had put his hand and ſet his ſeal, which may always remain as a notable monument, tho' the act of parliament be hereafter diſannulled. If it might, therefore, ſtand with your advice, that the lords might be written unto, now that they are here preſent to that effect, or that I might receive from your Honr. ſome earneſt charge to travel herein, I doubt not but it would ſerve to good purpoſe. If it might be alſo known with what ſubſtantial and effectious words or charge you deſire to have it confirmed, I think no great difficulty would be made. The Earl Marſhal has oft been moved to ſubſcribe, he uſeth mo delays then men judged he would. His ſon told me yeſterday, that he would ſpeak with me at leiſure, ſo did alſo Drumlanrick; I know not to what purpoſe: I have cauſed L. James to be the earneſter with the L. Marſhal, for his authority's ſake, when of late it was in conſultation by what means it might be wrought, that the amity between theſe two realms might be perpetual; and among diverſe men's opinion, one ſaid that he knew of no other, but by making them both one, and that in hope of that mo things were done, than would otherwiſe have ever been granted; the earl of Argyll adviſed him earneſtly to ſtick unto that, that he had promiſed, that it ſhould paſs his power and all the crafty knaves of his counſel (I am bold to uſe unto your H. his own words), to break ſo godly a purpoſe. This talk liked well the aſſiſters, howſomever it pleaſed him to whom it was ſpoken unto. The barons, who in time paſt have been of the parliament, had yeſterday a convention among themſelves in the church, in very honeſt and quiet ſort; they thought it good to require to be reſtored unto their ancient liberty, to have

voice

voice in parliament. They preſented that day a bill unto the lords to that effect, a copy whereof ſhall be ſent as ſoon as it can be had. It was anſwered unto gently and taken in good part. It was referred unto the lords of the articles, when they are choſen to reſolve thereupon.——*Here follows a long paragraph concerning the fortifications of Dunbar, &c.* ——This preſent morning, *viz.* the 9th, I underſtood, that the lords intended to be at the parliament, which cauſed me ſomewhat to ſtay my letter, to ſee what I could hear or learn worth the reporting unto your Hon^r. The lords, at ten of the clock, aſſembled themſelves at the palace, where the duke lieth; from whence they departed towards the Tolbooth, as they were in dignity. Each one being ſet in his ſeat, in ſuch order as your H. ſhall receive them in this ſcroll. The crown, the mace, the ſword, were laid in the queen's ſeat. Silence being commanded, the L. of Lidington began his oration. He excuſed his inſufficiency to occupy that place. He made a brief diſcourſe of things paſt, and of what neceſſity men were forced unto for the defence of their country, what remedy and ſupport it pleaſed God to ſend them in the time of their neceſſity, how much he were bound heartily to acknowledge it, and to requite it. He took away the perſuaſion that was in many men's mind that lay back, that miſdeemed other things to be meant than was attempted. He adviſed all eſtates to lay all particulars apart, and to bend themſelves wholly to the true ſervice of God and of their country. He willed them to remember in what ſtate it had been of long time for lack of government, and exerciſe of juſtice. In the end, he exhorted them to mutual amity and hearty friendſhip, and to live with one another as members all of one body.—He prayed God long to maintain this peace and amity with all princes, eſpecially betwixt the realms of England and Scotland, in the fear of God, and ſo ended. The clerk of regiſter immediately ſtood up, and aſked them to what matter they would proceed: It was thought neceſſary, that the articles of the peace ſhould be confirmed with the common conſent, for that it was thought neceſſary to ſend them away with ſpeed into France, and to receive the ratification of them as ſoon as might be. The articles being read, were immediately agreed unto: A day was appointed to have certain of the nobles ſubſcribe unto them, and to put their ſeals, to be ſent away by a herald,

herald, who ſhall alſo bring the ratification again with him. The barons, of whom I have above written, required an anſwer to their requeſt, ſomewhat was ſaid unto the contrary. The barons alleged for them cuſtom and authority. It was in the end reſolved, that there ſhould be choſen ſix to join with the lords of the articles, and that if they, after good adviſement, ſhould find it right and neceſſary for the commonwealth, it ſhould be ratified at this parliament for a perpetual law. The lords proceeded immediately hereupon, to the chuſing of the lords of the articles. The order is, that the lords ſpiritual chuſe the temporal, and the temporal the ſpiritual, and the burgeſſes their own. There were choſen as in this other paper I have written. This being done, the lords departed and accompanied the duke, all as far as the Bow (which is the gate going out of the high ſtreet), and many down into the palace where he lieth. The town all in armour, the trumpets ſounding, and other muſic ſuch as they have. Thus much I report unto your honour of that I did both hear and ſee. Other ſolemnities have not been uſed ſaving in times long paſt the lords have had parliament robes, which are now with them wholly out of uſe.

THE names of as many earls and lords ſpiritual and temporals as are aſſembled at this parliament.

The duke of Chatelherault.

Earls.	Lords	Lords Spiritual.
Arran.	Erſkine.	St. Andrews.
Argyll.	Ruthven.	Dunkell.
Athole.	Lindſey.	Athens.
Crawford.	Somervill.	The biſhop of the Iſles.
Caſſils.	Cathcart.	Abbots and Priors, I know not how many.
Marſhall.	Hume.	
Morton.	Livingſton.	
Glencairn.	Innermeth.	
Sutherland.	Boyd.	
Cathneſs.	Ogilvy.	
Rothes.	Fleming.	
Monteith.	Glamis.	
	Gray.	
	Ochiltree.	
	Gordon.	

The

The Lords of the Articles.

Spiritual.	Temporal.	Barons elected to be of the Articles.
Athens.	The Duke.	Maxwell.
Isles.	Argyll.	Tillibardine.
Lord James.	Marshall.	Cunninghamhead.
Arbroath.	Athole.	Lochenvar.
Newbottle.	Morton.	Pittarow.
Lindoris.	Glencairn.	Lundy.
Cowpar.	Ruthven.	Ten Provosts of the
Kinross.	Erskine.	chief towns, which
Kilwinning.	Boyd.	also are of the Ar-
	Lindsay.	ticles.

So that with the Subprior of St. Andrews, the whole is 36.

It were too long for me to rehearse particularly the disposition, and chiefly the affections of these men, that are at this time chosen lords of the articles. May it satisfy your Honr. for this time to know that, by the common opinion of men, there was not a substantialler or more sufficient number of all sorts of men chosen in Scotland these many years, nor of whom men had greater hope of good to ensue. This present morning, viz. the 10th, the L. of Lidington made me privy unto your letter; he intendeth, as much as may be, to follow your advice. Some hard points there are. He himself is determined not to go into France. He allegeth many reasons, but speaketh least of that, that moveth him most, which is the example of the last, that went on a more grateful message than he shall carry, and stood on other terms with their prince than he doth, and yet your honour knoweth what the whole world judgeth.

Petition of the Lesser Barons to the Parliament, held Aug. 1560.

Inclosed in Randolph's letter to Cecil, 15th Aug. 1560.

My lords, unto your lordships, humbly means and shows, we the barons and freeholders of this realm, your brethren in Christ, That whereas the causes of true religion, and common well of this realm, are, in this present parliament, to be treated, ordered, and established,

to

to the glory of God, and maintenance of the commonwealth; and we being the greateſt number in proportion, where the ſaid cauſes concern, and has been, and yet are ready to bear the greateſt part of the charges thereuntil, as well in peace as in war, both with our bodies and with our goods; and ſeeing there is no place where we may do better ſervice now than in general councils and parliaments, in giving our beſt advice and reaſon, vote and councell for the furtherance thereof, for the maintenance of virtue, and puniſhment of vice, as uſe and cuſtom had been of old by ancient acts of parliament obſerved in this realm; and whereby we underſtand that we ought to be heard to reaſon and vote in all cauſes concerning the commonwealth, as well in councils as in parliaments; otherwiſe we think that whatſomever ordinances and ſtatutes be made concerning us and our eſtate, we not being required and ſuffered to reaſon and vote at the making thereof, that the ſame ſhould not oblige us to ſtand thereto. Therefore it will pleaſe your lordſhips to take conſideration thereof, and of the charge born, and to be born by us, ſince we are willing to ſerve truly to the common well of this realm, after our eſtate, that ye will, in this preſent parliament, and all counſells, where the common well of the realm is to be treated, take our advice, counſell and vote, ſo that, without the ſame, your lordſhips would ſuffer nothing to be paſſed and concluded in parliament or councils aforeſaid; and that all acts of parliament made, in times paſt, concerning us for our place and eſtate, and in our favour, be at this preſent parliament confirmed, approved and ratified, and act of parliament made thereupon. And your Lordſhips anſwer humbly beſeeches.

Of the ſucceſs of this Petition, the following account is given by Randolph; Lett. to Cecil, 19 Aug. 1560. The matters concluded and paſt by common conſent on Saturday laſt, in ſuch ſolemn ſort as the firſt day that they aſſembled, are theſe. Firſt, that the barons according to an old act of parliament, made in the time of James I. in the year of God 1427, ſhall have free voice in parliament, this act paſſed without any contradiction.

No. V. (Vol. I. p. 259.)

A letter of Thomas Randolph, the Engliſh reſident, to the right worſhipful Sir William Cecil, knt. principal ſecretary to the queen's majeſty.

I HAVE received your honour's letters of the firſt of this month, written at Oſyes in Eſſex; and alſo a letter unto the lord James, from his kinſman St. Come out of France, in this they agree both that the queen of Scotland is nothing changed of her purpoſe in home coming. I aſſure your honour that will be a ſtout adventure for a ſick craſed woman, that may be doubted as well what may happen unto her upon the ſeas, as alſo how heartily ſhe may be received when ſhe cometh to land of a great number, who are utterly perſuaded that ſhe intendeth their utter ruin, come when ſhe will; the preparance is very ſmall whenſoever that ſhe arrive, ſcarcely any man can be perſuaded that ſhe hath any ſuch thought in her head. I have ſhown your honour's letters unto the lord James, lord Morton, lord Lidington; they wiſh, as your honour doth, that ſhe might be ſtayed yet for a ſpace, and if it were not for their obedience ſake, ſome of them care not tho' they never ſaw her face. They travel what they can to prevent the wicked devices of theſe miſchievous purpoſes of her miniſters, but I fear that that will always be found that filij hujus ſeculi, they do what they can to ſtand with the religion, and to maintain amity with their neighbours; they have alſo need to look unto themſelves, for their hazard is great, and that they ſee there is no remedy nor ſafety for themſelves, but to repoſe themſelves upon the queen's majeſty, our ſovereign's favours and ſupport. Friends abroad they have none, nor many in whom they may truſt at home. There are in mind ſhortly to try what they may be aſſured at of the queen's majeſty, and what they may aſſuredly perform of that they intend to offer for their parties. This the queen of Scotland above all other things doubteth; this ſhe ſeeketh by all means to prevent; and hath cauſed St. Come, in her name, earneſtly to write to charge him that no ſuch things be attempted before her coming home; for that it is ſaid, that they too already arrived here out of England for the purpoſe, what ſemblant ſomever the noblemen do make, that they are grieved

9 Aug. 1561. Cott. Lib. B. 10. fo. 32.

grieved with their queen's refusal, that cometh far from their hearts. They intend to expostulate with me hereupon. I have my answer ready enough for them. If she thrust all Englishmen out of this country, I doubt not but there will be some of her own that will bear us some kindness. Of me she shall be quit, so soon as it pleaseth the queen's majesty my mistress no longer to use my service in this place. By such talk, as I have of late had with the lord James and lord of Lidington, I perceive that they are of mind that immediately of the next convention, I shall repair towards you with their determinations, and resolutions, in all purposes, wherein your honour's advice is earnestly required, and shortly looked for. Whatsomever I desire myself, I know my will ought to be subject unto the queen my sovereign's pleasure, but to content myself, would God I were so happy as to serve her majesty in as mean a state as ever poor gentleman did, to be quit of this place; not that I do in my heart wax weary of her majesty's service, but because my time and years require some place of more repose and quietness than I find in this country. I doubt also my insufficience when other troubles in this country arise, or ought shall be required of me to the advancement of her majesty's service, that either my will is not able to compass, or my credit sufficient to work to that effect, as perchance shall be looked for at my hands. As your honour hath been a means of my continuance in this room, so I trust that I shall find that continual favour at your hands, that so soon as it shall stand with the queen's majesty's pleasure, I may give this place unto some far worthier than I am myself, and in the mean season, have my course directed by your good advice how I may by my contrivance do some such service, as may be agreeable to her majesty's will and pleasure.

THESE few words, I am bold to write unto your honour of myself. For the rest, where that is wished that the lords will stoutly continue yet for one month, I assure your honour that there is yet nothing omitted of their old and accustomed manner of doing, and seeing that they have brought that unto this point, and should now prevail, they were unworthy of their lives.

I FIND not that they are purposed so to leave the matter. I doubt more her money than I do her fair words; and yet can I not conceive what great things can be wrought with forty thousand crowns, and treasure of her own

own here I know there is no ſure or ready means to get it. The lord of Lidington leaveth nothing at this time unwritten, that he thinketh may be able to ſatisfy your deſire, in knowledge of the preſent ſtate of things here. Whatſomever cometh of that, he findeth it ever beſt, that ſhe come not; but if ſhe do come, to let her know, at the firſt, what ſhe ſhall find, which is due obedience, and willing ſervice, if ſhe embrace Chriſt, and deſire to live in peace with her neighbours. By ſuch letters as you have laſt received, your honour ſomewhat underſtandeth of Mr. Knox himſelf, and alſo of others, what is determined, he himſelf to abide the uttermoſt, and other never to leave him until God have taken his life, and thus together with what comfort ſomever it will pleaſe you to give him by your letters, that the queen's majeſty doth not utterly condemn him, or at the leaſt in that point, that he is ſo ſore charged with by his own queen, that her majeſty will not allow her doing. I doubt not but it will be a great comfort unto him, and will content many others; his daily prayer is for the maintenance of unity with England, and that God will never ſuffer men to be ſo ungrate, as by any perſuaſion to run headlong unto the deſtruction of them, that have ſaved their lives, and reſtored their country to liberty. I leave farther, at this time, to trouble your honour, deſiring God to ſend ſuch an amity between theſe two realms that God may be glorified to them of this world.—At Edenburgh the 9th of Auguſt 1561.

No. VI. (Vol. I. p. 269.)

A letter of Queen Elizabeth to Queen Mary [a].

To the right excellent, right high and mighty princeſſe, our right dear and well-beloved ſiſter and couſin the queen of Scotland.

RIGHT excellent, right high, and mighty princeſſe, our right dear and right well-beloved ſiſter and couſin, we greet you well. The Lord of St. Coſme brought to us your letters, dated the 8th of this preſent at Abbevile, whereby ye ſignify, that although by the anſwer brought to you by Monſieur Doyzell, ye might have had 16th of Aug. 1561. Paper Office, from a Copy.

[a] This is the complete paper of which that induſtrious and impartial collector, Biſhop Keith, has publiſhed a fragment, from what he calls his ſhattered MS. 154, note (a) 181.

occaſion to have entered into ſome doubt of our amity, yet after certain purpoſes paſſed betwixt you and our ambaſſador, you would aſſure us of your good meaning to live with us in amity, and for your purpoſe therein ye require us to give credit to the ſaid St. Coſme. We have thereunto thought good to anſwer as followeth. The ſame St. Coſme hath made like declaration unto us on your part, for your excuſe in not ratifying the treaty, as yourſelf made to our ambaſſador, and we have briefly anſwered to every the ſame points, as he can ſhew you: and if he ſhall not ſo do, yet leaſt in the mean ſeaſon you might be induced to think that your reaſons has ſatisfied us, ſomerally we aſſure you, that to our requeſts your anſwer cannot be reputed for a ſatisfaction. For we require no benefit of you, but that you will perform your promiſe whereunto you are bound by your ſeal and your hand, for the refuſal whereof we ſee no reaſon alledged can ſerve. Neither covet we any thing, but that which is in your own power as queen of Scotland, that which yourſelf in words and ſpeech doth confeſs, that which your late huſband's our good brother's ambaſſadors and you concluded, that which your own nobility and people were made privy unto, that which indeed made peace and quietneſs betwixt us; yea that, without which no perfect amity can continue betwixt us, as if it be indifferently weighed, we doubt not but ye will perceive, allow and accompliſh. Nevertheleſs, perceiving by the report of the bringer, that you mean furthwith upon your coming home, to follow herein the advice of your council in Scotland, we are content to ſuſpend our conceipt of all unkindneſs, and do aſſure you that we be fully reſolved, upon this being performed, to unite a ſure band of amity, and to live in neighbourhood with you as quietly, friendly, yea as aſſuredly in the knot of friendſhip, as we be in the knot of nature and blood. And herein we be ſo earneſtly determined, that the world ſhould ſee if the contrary ſhould follow (which God forbid), the very occaſion to be in you and not in us; as the ſtory witneſſeth the like of the king your father, our uncle, with whom our father ſought to have knit a perpetual bond by inviting to come in this realm to York, of which matter we know there remain with us, and we think with you, ſundry witneſſes of our father's earneſt good meaning, and of the error whereunto divers evil councillors induced your father; or finally where it ſeemeth that

report

report had been made unto you, that we had ſent our admiral to the ſeas with our navy to impeche your paſſage, both your ſervants do well underſtand how falſe that is, knowing for a truth that we have not any more than two or three ſmall barks upon the ſeas, to apprehend certain pirates, being thereto entreated, and almoſt compelled, by the earneſt complaint of the ambaſſador of our good brother the king of Spain, made of certain Scottiſhmen haunting our ſeas as pirates, under pretence of letters of marque, of which matter alſo we earneſtly require you, at your coming to your realme, to have ſome good conſideration, and the rather for reſpect that ought to be betwixt your realme and the countries of us, of France, of Spain, and of the houſe of Burgundy. And ſo, right excellent, right high and mighty princeſs, we recommend us to you with moſt earneſt requeſt, not to neglect theſe our friendly and ſiſterly offers of friendſhip, which, before God, we mean and intend to accompliſh. Given under our ſignet at Heyningham the 16th of Auguſt, in the third year of our reign.

No. VII. (Vol. I. p. 304.)

A letter of Randolph to the right honourable Sir William Cecil, knight, principal ſecretary to the queen's majeſty.

15th of May, 1563. Paper-office, from the Original.

OF late, until the arrival of monſieur Le Croc, I had nothing worth the writing unto your honour.—Before his coming we had ſo little to think upon, that we did nothing but paſs our time in feaſts, banquetting, maſking, and running at the ring, and ſuch like. He brought with him ſuch anumber of letters, and ſuch abundance of news, that, for the ſpace of three days, we gave ourſelves to nothing elſe but to reading of writings, and hearing of tales, many ſo truly reported, that they might be compared to any that ever Luciane did write de veris narrationibus. Among all his tidings, for the moſt aſſured, I ſend this unto your honour as an undoubted truth, which is, that the cardinal of Lorraine, at his being with the emperor, moved a marriage between his youngeſt ſon, the duke of Aſtruche, and this queen; wherein he hath ſo far travelled, that it hath already come unto this point, that if ſhe find it good, the ſaid duke will out of hand ſend

hither his embaſſador, and farther proceed to the conſummation hereof, with as convenient ſpeed as may be; and to the intent her mind may be the better known, Le Croc is ſent unto her with this meſſage from the cardinal, who hath promiſed unto the emperor, to have word again before the end of May; and for this cauſe Le Croc is ready for his departure, and his letters writing both day and night. This queen being before advertized of his towardneſs, by many means hath ſought far off, to know my lord of Murray's mind herein, but would never ſo plainly deal with him, that he could learn what her meaning is, or how ſhe is bent. She uſeth no man's council, but only this man's that laſt arrived, and aſſuredly until the L. of Lidington's return, ſhe will do what ſhe can to keep that ſecret; and becauſe reſolution in his abſence cannot be taken, ſhe will, for this time, return Le Croc with requeſt, to have longer time to devize; and after, with the moſt ſpeed ſhe can, ſhe fully purpoſeth to advertize him, I mean, her uncle the cardinal, of her mind. Of this matter the L. of Lidington is made privy. I know not whether by ſome intelligence that he had before his departure, or ſince his arrival in France, divers letters have paſſed between her grace and him, whereof as much as it imported not greatly the knowledge of, was communicated to ſome, as much as was written in ſypher, is kept unto themſelves. Whether alſo the L. of Lidington hath had conference with the Spaniſh ambaſſador in England of this matter, or any like, I leave it unto your honour's good means, to get true knowledge thereof. Gueſſes or ſurmizes in ſo grave matters, I would be loath to write for verities. This alſo your honour may take for truth, that the emperor hath offered with his ſon, for this queen's dower, the county of Tyroll, which is ſaid to be worth 30,000 franks by year. Of this matter alſo the rhingrave wrote a letter unto this queen, out of France not long ſince. This is all that preſently I can write unto your honour hereof; as I can come by farther knowledge, your honour ſhall be informed.

I HAVE received your honour's writings by the Scottiſh man that laſt came into theſe parts; he brought alſo letters unto this queen from the L. of Lidington; their date was old, and contained only the news of France. I perceive divers ways, that Newhaven is ſorre cloſed, but I am not ſo ignorant of their nature, but that I know they

they will say as much as they dare do, I will not say as the proverb doth, 'canis timidus fortius latrat.' From hence I do assure them, what means somever they make, or how pitiful somever their mone be, they are like to receive but small comfort for all their long allie. We stand daily in doubt what friendship we shall need ourself, except we put better order unto our misruled papists, than yet we do, or know how to bring to pass that we may be void of their comber.

To-morrow, the 15th of this instant, the queen departeth of this town, towards Edenburgh. If my hap be good, you shall thoroughly hear some merry tidings of the Bp. of St. Andrews; upon Wednesday next he shall be arraigned, and five other priests, for their massing at Easter last. Thus most humbly I take my leave; at St. Andrews the 15th of May, 1563.

No. VIII. (Vol. I. p. 313.)

Letter of Randolph to the right honourable Sir William Cecil, knight, principal secretary to the queen's majesty.

10th of April 1563. Paper Office, from the Original in his own hand.

MAY it please your honour, the 7th of this instant, Rowlet, this queen's secretary, arrived here; he reporteth very honestly of his good usage, he brought with him many letters unto the queen that came out of France, full of lamentation and sorrow. She received from the queen mother two letters, the one contained only the rehearsal of her griefs, the other signify the state of France as then it was, as in what sort things were accorded, and what farther was intended for the appeasing of the discords there, not mistrusting but that if reason could not be had at the queen of England's hands, but that the realm of France should find her ready and willing to support and defend the right thereof, as by friendship and old alliance between the two realms she is bound.

How well these words do agree with her doings, your honour can well consider, and by her writings in this sort unto this queen, (which I assure your honour is true) you may assuredly know, that nothing shall be left undone

of her part, that may move debate or controverſie between this queen and our ſovereign.

It was much muſed at by the queen herſelf, how this new kindneſs came about, that at this time ſhe received two long letters written all with her own hand, ſaying, all the time ſince her return ſhe never received half ſo many lines, as were in one of the letters, which I can myſelf teſtify by the queen's own ſaying, and other good aſſurance, where hitherto I have not been deceived. I can alſo farther aſſure your honour, that this queen hath ſayed that ſhe knoweth now, that the friendſhip of the queen's majeſty my ſovereign may ſtand her more in ſtead, than that of her good mother in France, and as ſhe is deſirous of them both, ſo will ſhe not loſe the one for the other. I may alſo farther aſſure your honour, that whatſomever the occaſion is, this queen hath ſomewhat in her heart that will burſt out in time, which will manifeſt that ſome unkindneſs hath paſſed between them, that will not be eaſy forgotten. In talk ſometimes with myſelf, ſhe ſaith that the queen mother might have uſed the matter otherwiſe than ſhe hath done, and doth much doubt what ſhall be the ſucceſs of her great deſire to govern alone, in all things to have her will. Seeing then that preſently they ſtand in ſuch terms one with the other, I tho't it better to confirm her in that mind (this queen I mean), than to ſpeak any word that might cauſe her to conceive better of the other. And yet I am aſſured ſhe ſhall receive as friendly letters, and as many good words from this queen, as the other did write unto her. Whether the queen mother will ſpeak any thing unto the L. of Lidington of that purpoſe ſhe did write unto this queen of, I know not; but if ſhe do, I think it hard if your honour can get no favour thereof, at his return, or I perchance by ſome means here. It may, perchance, be written only by that queen, to try what anſwer this queen will give, or underſtand what mind ſhe beareth unto the queen's majeſty our ſovereign. The queen knoweth now that the earl Bothwell is ſent for to London. She cauſed a gentleman of hers to enquire the cauſe; I anſwered that I knew none other, but that his takers were in controverſy who took him, and that it ſhould be judged there. I know that ſhe thinketh much that he is not ſent into Scotland. It is yet greatly doubted that if he were here, he would be reſerved for an evil inſtrument. If

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the Lord of Lidington have not been plain with your honour herein, he is in the wrong to thoſe who are his friends here, but moſt of all to himſelf. There comes a vulture in this realm, if ever that man come again into credit.

No. IX. (Vol. I. p. 322.)

The oration made by William Maitland of Lethington, younger ſecretary for the time, in the parliament holden by our ſovereign the king's mother, queen of this realm for the time, the time of the reſtitution of Umquile Matthew Earl of Lenox.

MY Lords, and others here convened. Albeit, be that it has pleaſed her Majeſty moſt graciouſly to utter unto you, by her own mouth, ye may have ſufficiently conceived the cauſe of this your preſent aſſembly; yet having her majeſty's commandment to ſupply my Lord Chancellor's place, being preſently as ye ſee deceaſed, I am willed to expreſs the ſame ſomewhat more at large.

NOTOUR it is, how in her highneſs's minority, a proceſs of forfaultour was decreed againſt my Lord of Lenox, for certain offences alledged committed by him, ſpecified in the dome and conſement of Parliament given thereupon; by reaſon whereof he has this long time been exiled, and abſent forth of his native country; how grievous the ſame has been unto him, it has well appeared by divers his ſuites, ſundry ways brought unto her Majeſty's knowledge, not only containing moſt humble and due ſubmiſſion, but always bearing witneſs of his good devotion to her Majeſty, his natural princeſs, and earneſt affection he had to her Highneſs moſt humble ſervice, if it ſhould pleaſe her Majeſty of her clemency to make him able to enjoy the benefit of a ſubject; many reſpects might have moved her Highneſs favourably to incline to his requeſt, as the anciency of his houſe, and the ſirname he bears, the honour he has to appertain to her Majeſty by affinity, by reaſon of my lady Margaret her Highneſs's aunt, and divers other his good conſiderations, as alſo the effectuous requeſt of her good ſiſter the

Queen's Majeſty of England, whoſe earneſt commendation was not of leaſt moment, beſides that of her own natural, her Majeſty has a certain inclination to pity the decay of noble houſes, and as we heard, by her own report, has a great deal more pleaſure to be the inſtrument of the uphold, maintenance, and advancement of the ancient blood, than to have matter miniſtred of the decay or overthrow of any good race. Upon this occaſion, her Majeſty the more tenderly looked upon his requeſt, and her good ſiſter the Queen of England's favourable letter, written for recommendation of his cauſe, in conſideration whereof not only has ſhe granted unto him her letter of reſtitution, by way of grace, but alſo licenſed him to purſue, by way of reduction, the remedies provided by the law for ſuch as think themſelves grieved by any judgment, unorderly led, and to have the proceſs reverſed; for examination whereof, it has pleaſed her Majeſty preſently to aſſemble you the three eſtates of this her realme, by whoſe advice, deliberation, and deciſion at her Majeſty's mind, to proceed forward upon his complaints, as the merits of the cauſe, laws of the realme, and practice obſerved in ſuch caſes, will bear out. The ſum of all your proceedings at this time, being by that we have heard, thus as it were pointed out, I might here end, if the matter we have in hand gave me not occaſion to ſay a few more words, not far different from the ſame ſubject, wherein I would extend the circumſtances more largely. If I feared not to offend her highneſs, whoſe preſence and modeſt nature abhors long ſpeaking and adulation, and ſo will compel me to ſpeak ſuch things, as may ſeem to tend to any good and perfect point; and leſt it ſhould be compted to me, as that I were oblivious, if I ſhould omit to put you in remembrance, in what part we may accept this, and the like demonſtrations of her gentill nature; whoſe gracious behaviour towards all her ſubjects, in general, may ſerve for a good proof of that felicity, we may look for under her happy government, ſo long as it ſhall pleaſe God to grant her unto us; for a good harmony to be had in the common weill, the offices between the prince and the ſubjects muſt be reciproque; as by her Majeſty's prudence we enjoy this preſent peace with all foreign nations, and quietneſs among yourſelves, in ſuch ſort, that I think juſtly it may be affirmed Scotland, in no man's age, that preſently lives, was in greater

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tranquillity; ſo is it the duty of all us her loving ſubjects to acknowledge the ſame as a moſt high benefit, proceeding from the good government of her Majeſty, declaring ourſelves thankful for the ſame, and rendering to her Majeſty ſuch due obedience, as a juſt prince may look for at the hands of faithful and obedient ſubjects. I mean no forced nor unwilling obedience, which I know her nature does deteſt, but ſuch as proceeds from the contemplation of her modeſt kind of regiment, will for love and duty ſake produce the fruits thereof. A good proof have we all in general had of her Majeſty's benignity theſe three years, that ſhe has lived in the government over you, and many of you have largely taſted of her large liberality and frank dealing; on the other part her highneſs has had large appearance of your dutiful obedience, ſo it becomes you to continue, as we have begun, in conſideration of the many notable examples of her clemency above others her good qualities, and to abhor and deteſt all falſe bruites and rumours, which are the moſt peſtilent evils that can be in any common weill, and the ſowers and inventors thereof. Then may we be well aſſured to have of her an moſt gracious princeſſe, and ſhe moſt faithful and loving ſubjects; and ſo both the head and the members, being encouraged to maintain the harmony and accord of the politic bodies, whereof I made mention before, as the glory thereof ſhall partly appertain to her Majeſty, ſo ſhall no ſmall praiſe and unſpeakable commodity redound therethrough to you all univerſally her ſubjects.

No. X. (Vol. I. p. 333.)

The perils and troubles that may preſently enſue, and in time to come follow, to the Queen's majeſty of England, and ſtate of this realm, upon the marriage of the Queen of Scots to the Lord Darley.

FIRST, the minds of ſuch as be affected to the Queen of Scots, either for herſelf or for the opinion of her pretence to this crown, or for the deſire to have change of the forme of religion in this realm, or for the diſcontentation they have of the Queen's majeſty, or her ſucceſſion, or of the ſucceſſion of any other beſide the Queen

Queen of Scotts, ſhall be, by this marriage, erected, comforted, and induced to deviſe and labour how to bring their deſires to paſs; and to make ſome eſtimate what perſons thoſe are, to the intent the quantity of the danger may be weighed; the ſame may be compaſſed in thoſe ſorts either within the realme or without.

THE firſt are ſuch as are ſpecially devoted to the Queen of Scotts, or to the Lord Darley, by bond of blood and alliance; as firſt, all the houſe of Lorrain and Guiſe for her part, and the Earl of Lennox and his wife, all ſuch in Scotland as be of their blood, and have received diſpleaſures by the Duke of Chatelherault and the Hamiltons. The ſecond are all manner of perſons, both in this realme and other countries, that are devoted to the authority of Rome, and miſlike of the religion now received; and in theſe two ſorts are the ſubſtance of them comprehended, that ſhall take comfort in this marriage.

NEXT therefore to be conſidered what perils and troubles theſe kind of men ſhall intend to this realm.

FIRST, the general ſcope and mark of all their deſires is, and always ſhall be, to bring the Queen of Scotts to have the royal crown of this realm; and therefore, though the deviſers may vary amongſt themſelves for the compaſſing hereof, according to the accidents of the times, and according to the impediments which they ſhall find by means of the Queen's majeſty's actions and governments, yet all their purpoſes, drifts, deviſes, and practices, ſhall wholly and only tend to make the Queen of Scotts queen of this realm, and to deprive our ſovereign lady thereof; and in their proceedings, there are two manners to be conſidered, whereof the one is far worſe than the other; the one is intended by them, that either from malicious blindneſs in religion, or for natural affection to the Queen of Scotts, or the Lord Darley, do perſuade themſelves that the ſaid Queen of Scotts hath preſently more right to the crown than our ſovereign lady the queen, of which ſort be all their kindred on both ſides, and all ſuch as are devoted to popery, either in England, Scotland, Ireland, or elſewhere: the other is meant by them, which, with leſs malice are perſuaded that the Queen of Scotts hath only right to be the next heir to ſucceed the queen's majeſty and her iſſue, of which ſort few are without the realm, but here within, and yet of them, not ſo many as are of the contrary, and from theſe two ſorts ſhall the peril, deviſes

vises and practices proceed. From the first, which imagine the queen of Scotts to have perpetually right are to be looked for these perils. First, is it to be doubted the devil will infect some of them to imagine the hurt of the life of our dear sovereign lady, by such means as the devil shall suggest to them, although it is to be assuredly hoped, that Almighty God will, as he hath hitherto, graciously protect and preserve her from such dangers? Secondly, there will be attempted, by persuasions, by bruits, by rumours, and such like, to alienate the minds of good subjects from the queen's majesty, and to conciliate them to the queen of Scotts, and on this behalf the frontiers and the north will be much solicited and labored. Thirdly, there will be attempted causes of some tumults and rebellions, especially in the north towards Scotland, so as thereupon may follow some open enterprise set by violence. Fourthly, there will be, by the said queen's council and friends, a new league made with France, or Spain, that shall be offensive to this realm, and a furtherance to their title. And as it is also very likely, that they will set a foot as many practices as they can, both upon the frontiers and in Ireland, to occasion the queen's majesty to increase and continue her charge thereby, to retain her from being mighty or potent, and for the attempting of all these things, many devises will be imagined, from time to time, and no negligence will therein appear.

From the second sort, which mean no other favour to the queen of Scotts, but that she should succeed in title to the queen's majesty, is not much to be feared, but that they will content themselves to see not only the queen's majesty not to marry, and so to impeach it, but to hope, that the queen of Scotts shall have issue, which they will think to be more pleasable to all men, because thereby the crowns of England and Scotland shall be united in one, and thereby the occasion of war shall cease; with which persuasion many people may be seduced, and abused to incline themselves to the part of the queen of Scotts.

The remedies against these perils.

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A Duplicat.

4th of June 1565. Cott. Lib. Cal. B. 10 fol. 250.

A ſummary of the conſultation and advice given by the lords and others of the privy council, Collected out of the ſundry and ſeveral ſpeeches of the ſaid counſellors.

Lord Keeper,
Lord Treaſurer,
Earls of { Derby, Bedford, Leiceſter,
Lord Admiral,
Lord Chamberlain,
Mr. Comptroller,
Mr. Vice Chamberlain,
Mr. Secretary,
Cave,
Peter,
Maſon.

Queſtions propounded were theſe two.

1. FIRST, what perils might enſue to the Queen's majeſty, or this realm, of the marriage betwixt the Queen of Scotts, and the Lord Darnley.

2. WHAT were meet to be done, to avoid or remedy the ſame.

To the Firſt.

THE perils being ſundry, and very many, were reduced by ſome counſellors into only one.

1. FIRST, that by this marriage, the Queen of Scotts, (being not married) a great number in this realm not of the worſt ſubjects might be alienated in their minds from their natural duties to her majeſty, to depend upon the ſucceſs of this marriage of Scotland, as a mean to eſtabliſh the ſucceſſion of both the crowns in the iſſue of the ſame marriage, and ſo favour all deviſes and practices, that ſhould tend to the advancement of the queen of Scotts.

2. SECONDLY, that conſidering the chief foundation of them, which furthered the marriage of the Lord Darnley, was laid upon the truſt of ſuch as were papiſts, as the only means left to reſtore the religion of Rome, it was plainly to be ſeen, that both in this realm and Scotland, the papiſts would moſt favour, maintain, and fortify this marriage of the Lord Darnley, and would, for furtherance of faction in religion, deviſe all means and practices that could

could be within this realm, to disturb the estate of the queen's majesty, and the peace of the realm, and consequently to atchieve their purposes by force, rather than fail. By some other, these perils having indeed many branches, were reduced, though somewhat otherwise, into two sorts, and these were in nature such as they could not be easily severed the one from the other, but were knit and linked together, naturally for maintaining the one with the other. The first of these sort of perils was that, by this marriage with the Lord Darnley, there was a plain intention to further the pretended title of the queen of Scotts, not only to succeed the Queen's majesty, as in her best amity she had professed, but that to occupy the queen's estate, as when she was in power, she did manifestly declare.

The second was, that hereby the Romish religion should be erected, and increased daily in this realm, and these two were thus knit together, that the furtherance and maintenance of the title staid, in furthering of the religion of Rome within this realm; and in like manner the furtherance of the same religion stood by the title, for otherwise the title had no foundation.

Proofs of the first.) And to prove that the intention to advance the title to disturb the Queen's majesty, must needs ensue, was considered that always the intention and will of any person is most manifest, when their power is greatest, and contrary when power is small, then the intention and will of every person is covered and less seen. So as when the queen of Scotts power was greatest, by her marriage with the dauphin of France, being afterwards French king, it manifestly appeared of what mind she, and all her friends were, using then manifestly all the means that could be devised to impeach and dispossess the queen's majesty, first by writing and publishing herself in all countries queen of England; by granting charters, patents, and commissions, with that style, and with the arms of England, both the French and Scotts, which charters remain still undefaced; and to prosecute it with effect, it is known what preparations of war were made, and sent into Scotland; and what other forces were assembled in foreign countries; yea, in what manner a shameful peace was made by the French with king Philip to employ all the forces of France to pursue all the matters by force which by God's providence, and the queen's ma-

jeſty contrary power, were repelled; and afterwards, by her huſband's death, her fortune and power being changed, the intention began to hide itſelf, and although by the Scottiſh queen's commiſſaries an accord was made at Edenbrough, to reform all thoſe titles, and claims, and pretences, yet to this day, by delays and cavillations, the ratification of that treaty hath been deferred. And ſo now, as ſoon as ſhe ſhall feel her power, ſhe will ſet the ſame again abroad, and by conſidering of ſuch errors as were committed in the firſt, her friends and allies will amend the ſame, and proceed ſubſtantially to her purpoſe. By ſome it was thought plainly, that the peril was greater of this marriage with the lord Darnley, being a ſubject of this realm, than with the mightieſt prince abroad; for by this, he being of this realm, and having for the cauſe of religion, and other reſpects, made a party here, ſhould encreaſe by force with diminution of the power of the realm; in that whatſoever power he could make by the faction of the papiſt, and other diſcontented perſons here, ſhould be as it were deducted out of the power of this realm; and by the marriage of a ſtranger, ſhe could not be aſſured of any part here; ſo as by this marriage ſhe ſhould have a portion of her own power to ſerve her turn, and a ſmall portion of adverſaries at home in our own bowels, always ſeem more dangerous than treble the like abroad; whereof the examples are in our own ſtories many, that foreign powers never prevailed in this realm, but with the help of ſome at home. It was alſo remembered, that ſeeing now before this attempt of marriage, it is found, and manifeſtly ſeen, that in every corner of the realm, the faction that moſt favoureth the Scottiſh title, is grown ſtout and bold, yea ſeen manifeſtly in this court, both in hall and chamber, it could not be but (except good heed were ſpeedily given to it) by this marriage, and by the practice of the fautors thereof, the ſame faction would ſhortly encreaſe, and grow ſo great and dangerous, as the redreſs thereof would be almoſt deſperate. And to this purpoſe it was remembered, how of late in peruſing of the ſubſtance of the juſtices of the peace, in all the countries of the realm, ſcantily a third was found fully aſſured to be truſted in the matter of religion, upon which only ſtring the Queen of Scotts title doth hang, and ſome doubt might be, that the friends of the Earl of Lennox, and his had more knowledge hereof than was thought, and

thereby made avant now in Scotland, and their party was ſo great in England as the Queen's majeſty durſt not attempt to contrary his marriage. And in this ſort, was the ſum of the perils declared, being notwithſtanding more largely and plainly ſet out, and made ſo apparent by many ſure arguments, as no one of the council could deny them to be but many, and very dangerous.

Second Queſtion.

THE queſtion of this conſultation was what were meet to be done to avoid theſe perils, or elſe to divert the force thereof from hurting the realm; wherein there were a great number of particular deviſes propounded, and yet the more part of them was reduced by ſome into three heads.

1. THE firſt thought neceſſary by all perſons, as the only thing of the moſt moment and efficacy, to remedy all theſe perils, and many others, and ſuch as without it, no other remedy could be found ſufficient, and that was to obtain that the queen's majeſty would marry, and make therein no long delay.

2. THE ſecond was to advance, eſtabliſh, and fortify indeed the profeſſion of religion, both in Scotland and in England, and to diminiſh, weaken, and feeble the contrary.

3. THE third was, to proceed on ſundry things, either to diſappoint and break this intended marriage, or, at the leaſt, thereby to procure the ſame not to be ſo hurtful to this realm, as otherwiſe it will be.

THE firſt of theſe three hath no particular rights in it, but an earneſt and unfeigned deſire and ſuite, with all humbleneſs, by prayer to Almighty God, and advice and council to the queen's majeſty, that ſhe would defer no more time from marriage, whereby the good ſubjects of the realm might ſtay their hearts, to depend upon her majeſty, and the iſſue of her body, without which no ſurety can be deviſed to aſcertain any perſon of continuance of their families or poſterities, to enjoy that which otherwiſe ſhould come to them.

SECOND, concerning the matters of religion, wherein both truth and policy were joined together, had theſe particulars.

FIRST,

First, whereas of late the adverſaries of religion, in the realm, have taken occaſion to comfort and increaſe their faction, both in England, Scotland, and abroad, with a rumour and expectation that the religion ſhall be ſhortly changed in this realm, by means that the biſhops, by the queen's majeſty commandment, have of late dealt ſtreightly with ſome perſons of good religion, becauſe they had forborn to wear certain apparel, and ſuch like things; being more of form and accidents, than of any ſubſtance, for that it is well known that her majeſty had no meaning to comfort the adverſaries, but only to maintain an uniformity as well in things external, as in the ſubſtance, nor yet hath any intention to make any change of the religion, as it is eſtabliſhed by laws. It was thought by all men very neceſſary, for the ſuppreſſing of the pride and arrogancy of the adverſaries, indirectly hereby to notify, by her ſpecial letters to the two archbiſhops, that her former commandment was only to retain an uniformity, and not to give any occaſion to any perſon to misjudge of her majeſty, in the change of any part of religion, but that ſhe did determine firmly to maintain the form of her religion, as it was eſtabliſhed, and to puniſh ſuch as did therein violate her laws. And in theſe points, ſome alſo wiſhed that it might pleaſe her archbiſhops, that if they ſhould ſee that the adverſaries continued in taking occaſion to fortify their faction, that in that caſe they ſhould uſe a moderation therein, until the next parliament, at which time, ſome good, uniform, and decent order might be deviſed, and eſtabliſhed, for ſuch ceremonies, ſo as both uniformity and gravity might be retained amongſt the clergy.

The ſecond means was, that the quondam biſhops, and others, which had refuſed to acknowledge the queen's majeſty's power over them, according to the law, and were of late diſperſed in the plague time to ſundry places abroad, where it is known they ceaſe not to advance their faction, might be returned to the tower, or ſome other priſon, where they might not have ſuch liberty to ſeduce and inveigle the queen's majeſty's ſubjects, as they daily do.

The third means was, that where the biſhops do complain that they dare not execute the eccleſiaſtical laws, to the furtherance of religion, for fear of the premunire wherewith the judges and lawyers of the realm, being not

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beſt affected in religion, do threaten them, and in many caſes lett not to pinch and deface them, that upon ſuch caſes opened, ſome convenient authority might be given them, from the queen's majeſty, to continue during her pleaſure.

THE fourth was, that there were daily lewd, injudicious and unlawful books in Engliſh brought from beyond ſeas, and are boldly received, read, and kept, and eſpecially in the North, ſeducing of great numbers of good ſubjects, the like boldneſs whereof was never ſuffered in any other princeſs's time, that ſome ſtreight order might be given to avoid the ſame, and that it might be conſidered by the judges, what manner of crime the ſame is, to maintain ſuch books, made directly againſt her majeſty's authority, and maintaining a foreign power, contrary to the laws of the realm.

THE fifth was, that where a great number of monks, fryars, and ſuch lewd perſons are fled out of Scotland, and do ſerve in England, eſpecially in the North, as curates of churches, and all ſuch of them as are not found honeſt and conformable, may be baniſhed out of the realm, for that it appeareth they do ſow ſedition in the realm, in many places, and now will increaſe their doings.

THE ſixth, where ſundry having eccleſiaſtical livings, are on the other ſide the ſea, and from thence maintain ſedition in the realm; that livings may be better beſtowed, to the commodity of the realm, upon good ſubjects.

THE ſeventh is, that the judges of the realm, having no ſmall authority in this realm in governance of all property of the realm, might be ſworn to the queen's majeſty, according to the laws of the realm, and ſo thereby they ſhould for conſcience ſake maintain the queen's majeſty's authority.

THE particulars of the third intention, to break and avoid this marriage, or to divert the perils.

FIRST to break this marriage, conſidering nothing can likely do it, but force, or fear of force, it is thought by ſome that theſe means following might occaſion the breach of the marriage.

1. THAT the earl of Bedford repair to his charge.
2. THAT the works at Berwick be more advanced.
3. THAT the garriſon be there increaſed.

4. THAT all the wardens put their frontiers in order with ſpeed, to be ready at an hour's warning.

5. THAT ſome noble perſon, as the duke of Norfolk, or the earl of Salop, or ſuch other, be ſent into Yorkſhire, to be lieutenant-general in the North.

6. THAT preparations be made of a power, to be in readineſs to ſerve, either at Berwick, or to invade Scotland.

7. THAT preſently lady Lennox be committed to ſome place, where ſhe may be kept from giving or receiving of intelligence.

9. THAT the earl of Lennox and his ſon may be ſent for, and required to be ſent home by the queen of Scots, according to the treaty; and if they ſhall not come, then to denounce to the queen of Scots the breach of the treaty, and thereupon to enter with hoſtility; by which proceeding, hope is conceived (ſo the ſame be done in deeds and not in ſhews) that the marriage will be avoided, or at the leaſt that it may be qualified from many perils; and whatſoever is to be done herein, is to be executed with ſpeed, whilſt ſhe has a party in Scotland that favoureth not the marriage, and before any league made by the queen of Scots with France or Spain.

SOME other allows well of all theſe proceedings, ſaving of proceeding to hoſtility, but all do agree in the reſt, and alſo to theſe particularities following.

10. THAT the earl's lands upon his refuſal, or his ſon's refuſing, ſhould be ſeized, and beſtowed in gift or cuſtody, as ſhall pleaſe her majeſty, upon good ſubjects.

11. THAT all manifeſt favourers of the earl, in the North, or elſewhere, be inquired for, and that they be, by ſundry means, well looked to.

12. THAT enquiry be made in the North, who have the ſtewardſhip of the queen's majeſty's lands there, and that no perſon, deſerving miſtruſt, be ſuffered to have governance or rule of any of her ſubjects or lands in the North, but only to retain their fees, and more truſty perſon have rule of the ſame people's lands.

13. THAT all frequent paſſages into this realm, to and from Scotland, be reſtrained to all Scottiſh men, ſaving ſuch as have ſafe-conduct, or be eſpecially recommended from Mr. Randolph, as favourers of the realm.

14. THAT ſome intelligence be uſed with ſuch in

Scotland, as favour not the marriage, and they comforted from time to time.

15. THAT the queen's majesty's household, chamber, and pensioners, be better seen unto, to avoid broad and uncomely speech used by sundry against the state of the realm.

16. THAT the younger son of the earl of Lennox, Mr. Charles, be remembered to some place where he may be forth coming.

17. THAT considering the faction and title of the queen of Scotts, hath now of long time received great favour, and continued, by the queen's majesty's favour herein to the queen of Scotts and her ministers, and the lady Catharine, whom the said queen of Scotts accompted as a competor unto her in pretence of title, it may please the queen's majesty, by some exterior act, to shew some remission of her displeasure to the lady, and to the earl of Hartford, that the queen of Scotts thereby may find some change, and her friends put in doubt of further proceeding therein.

18. THAT whosoever shall be lieutenant in the North, Sir Ralph Sadler may accompany him.

19. THAT with speed the realm of Ireland may be committed to a new governor.

20. FINALLY, that these advices being considered by her majesty, it may please her to choose which of them she liketh, and to put them in execution in deeds, and not to pass them over in consultations and speeches.

FOR it is to be assured, that her adversaries will use all means to put their intention in execution. Some by practice, some by force, when time shall serve, and no time can serve so well the queen's majesty to interrupt the perils, as now at the first, before the queen of Scotts purposes be fully settled.

No. XI. (Vol. I. p. 349.)

Randolph to the earl of Leicester, from Edinburgh the 31st of July 1565.

MAY it please your lordship, I have received your lordship's letter by my servant, sufficient testimony of your lordship's favour towards me, whereof I think

Cot. lib. Cal. B. 9. fol. 216. An Original.

my ſelf always ſo aſſured, that what other miſhap ſoever befal me, I have enough to comfort myſelf with; though I have not at this time received neither according to the need I ſtand, nor the neceſſity of the ſervice that I am employed in, I will rather paſs it, as I may with patience, than trouble your lordſhip to be further ſuter for me, when there is ſo little hope that any good will be done for me. I doubt not but your lordſhip hath heard by ſuch information as I have given from hence, what the preſent ſtate of this country is, how this queen is now become a married wife, and her huſband, the ſelf-ſame day of his marriage, made a king. In their deſires, hitherto, they have found ſo much to their contentment, that if the reſt ſucceed and proſper accordingly, they may think themſelves much happier, than there is appearance that they ſhall be; ſo many diſcontented minds, ſo much miſliking of the ſubjects to have theſe matters thus ordered, and in this ſort to be brought to paſs I never heard of any marriage; ſo little hope, ſo little comfort as men do talk, was never ſeen, at any time, when men ſhould moſt have ſhewed themſelves to rejoice, if that conſideration of her own honour and well of her country had been had as appertained in ſo weighty a caſe. This is now their fear, the overthrow of religion, the breach of amitie with the queen's majeſty, and the deſtruction of as many of the nobility as ſhe hath miſliking of, or that he liketh to pitch a quarrel unto. To ſee all theſe inconveniencys approaching, there are a good number that may ſooner lament with themſelves, and complain to their neighbours, than be able to find remedie to help them, ſome attempt with all the force they have, but are too weak to do any good, what is required otherways, or what means there is made your lordſhip knoweth; what will be anſwered, or what will be done, therein, we are in great doubt, and though your intent be never ſo good unto us, yet do we ſo much fear your delay, that our ruin ſhall prevent your ſupport when council is once taken. Nothing ſo needful, as ſpeedy execution. Upon the queen's majeſty, we wholly depend, in her majeſty's hands it ſtandeth to ſave our lives, or to ſuffer us to periſh; greater honour her majeſty cannot have, than in that which lyeth in her majeſty's power to do for us; the ſums are not great, the numbers of men are not many that we deſire; many will daily be found, tho' this will be ſome charge; men grow dayly, though, at this

this time, I think her majeſty ſhall looſe but few; her friends here being once taken away, where will her majeſty find the like; I ſpeak leaſt of that which I think is moſt earneſty intended by this queen, and her huſband, when by him it was lately ſaid, that he cared more for the papiſts in England, than he did for the proteſtants in Scotland; if therefore, his hopes be ſo great in the papiſts of England what may your lordſhip believe that he thinketh of the proteſtants there; for his birth, for his nurritour, for the honour he hath to be of kine to the queen my miſtreſs, if in preferring thoſe that are the queen's majeſties worſt ſubjects to thoſe that are her beſt, he declareth what mind he beareth to the queen's majeſties ſelf, any man may ſay it is ſlenderly rewarded, and his duty evil forgotten; he would now ſeem to be indifferent to both the religions, ſhe to uſe her maſs, and he to come ſometimes to the preaching; they were married with all the ſolemnities of the popiſh time, ſaving that he heard not the maſs; his ſpeech and talk argueth his mind, and yet would he fain ſeem to the world that he were of ſome religion; his words to all men, againſt whom he conceiveth any diſpleaſure how unjuſt ſoever it be, ſo proud and ſpitfull, that rather he ſeemeth a monarch of the world, than he that, not long ſince, we have ſeen and known the lord Darnley; he looketh now for reverence of many that have little will to give it him; and ſome there are that do give it, that think him little worth of it. All honour that may be attributed unto any man by a wife, he hath it wholly and fully; all praiſes that may be ſpoken of him, he lacketh not from herſelf; all dignities that ſhe can indue him with, which are already given and granted; no man pleaſeth her that contenteth not him; and what may I ſay more, ſhe hath given over to him her whole will, to be ruled and guided as himſelf beſt liketh; ſhe can as much prevail with him, in any thing that is againſt his will, as your lordſhip may with me to perſuade that I ſhould hang myſelf; this laſt dignity out of hand to have been proclaimed king, ſhe would have it deferred untill it were agreed by parliament, or he had been himſelf 21 years of age, that things done in his name might have the better authority. He would, in no caſe, have it deferred one day, and either then or never; whereupon this doubt is riſen amongſt our men of law whether ſhe being clad with a huſband, and her huſband not twenty-

one years, any thing without parliament can be of ſtrength, that is done between them; upon Saturday at afternoon, theſe matters were long in debating. And before they were well reſolved upon, at nine hours at night, by three heralds, at ſound of the trumpet he was proclaimed king. This was the night before the marriage; this day, Monday at twelve of the clock, the lords, all that were in the toun, were preſent at the proclaiming of him again, where no man ſaid ſo much as Amen, ſaving his father, that cried out aloud God ſave his queen. The manner of the marriage was in this ſort, upon Sunday in the morning between five and ſix, ſhe was conveyed by divers of her nobles to the chapell; ſhe had upon her back the great mourning gown of black, with the great wide mourning hood, not unlike unto that, which ſhe wore the doulfull day of the burial of her huſband: ſhe was led into the chapell, by the earle of Lenox and Athol, and there was ſhe left untill her huſband came, who alſo was conveyed by the ſame lords, the miniſter prieſts, two, do there receive them, the bands are aſked the third time, and an inſtrument taken by a Notour that no man ſaid againſt them, or alledged any cauſe why the marriage might not proceed. The words were ſpoken, the rings which were three, the middle a rich diamond, were put upon her finger; they kneel together, and many prayers ſaid over them, ſhe tarrieth out the maſs, and he taketh a kiſs, and leaveth her there, and went to her chamber, whither within a ſpace ſhe followeth; and being required, according to the ſolemnity, to caſt off her cares and leave aſide thoſe ſorrowfull garments, and give herſelf to a more pleaſant life, after ſome pretty refuſall, more I believe for manner ſake than grief of heart, ſhe ſuffered them that ſtood by, every man that could approach, to take out a pin, and ſo being committed to her ladies, changed her garments, but went not to bed, to ſignifie to the world, that it was not luſt that moved them to marry, but only the neceſſity of her country, not, if God will, long to leave it deſtitute of an heir. Suſpicious men, or ſuch as are given of all things to make the worſt, would that it ſhould be believed, that they knew each other before that they came there; I would not your lordſhip ſhould ſo believe it, the likelihoods are ſo great to the contrary, that if it were poſſible to ſee ſuch an act done, I would not believe it. After the marriage followeth commonly great cheer and dancing:

dancing: to their dinner they were conveyed by the whole nobility; the trumpets ſound; a largeſs cried; mony thrown about the houſe in great abundance, to ſuch as were happy to get any part; they dine both at one table, ſhe upon the upper hand, there ſerve her theſe earls Athole Sewer, Morton Carver, Craufoord Cup-bearer; theſe ſerve him in like offices, earls Eglington, Caſſels, and Glencairn; after dinner they danced a while, and then retired themſelves till the hour of ſupper; and as they dined ſo do they ſup, ſome dancing there was, and ſo they go to bed; of all this I have written to your lordſhip I am not Oculatus teſtis, to this, but of the verity your lordſhip ſhall not need to doubt, howſoever I came by it; I was ſent for to have been at the ſupper, but like a curriſh or uncourtly carle I refuſed to be there; and yet that which your lordſhip may think might move me much, to have had the ſight of my miſtreſs, of whom theſe eighteen days by juſt account I got not a ſight, I am my lord taken by all that ſort as a very evil perſon, which in my heart I do well allow, and like of myſelf the better, for yet can I not find either honeſt or good that liketh their doings. I leave at this time further to trouble your lordſhip, craving pardon for my long ſilence, I have more ado than I am able to diſcharge, I walk now more abroad by night than by day, and the day too little to diſcharge myſelf of that which I conceive, or receive in the night. As your lordſhip, I am ſure, is partaker of ſuch letters as I write to Mr. Secretary, ſo that I truſt that he ſhall be to this, to ſave me of a little labour, to write the ſame again, moſt humbly I take my leave at Edinburgh, the laſt day of July 1565.

No. XII. (Vol. I. p. 349.)

Letter of the earl of Bedford to the honourable Sir William Cecil knt. her Majeſty's principal ſecretary, and one of her highneſs's privy council.

AFTER my hearty commendations, this day at noon captain Brickwell came hither, who brought with him the queen's majeſty's letters containing her full reſolution, and pleaſure for all things he had in charge to give information of, ſaving that for the aid of the lords

2d of Sept. 1565. Paper Office, from the Original.

of the congregation there is nothing determined, or at the leaſt expreſſed in the ſame letters, and for that purpoſe received I, this morning, a letter ſubſcribed by the duke, the earl of Murray, Glencarne, and others, craving to be holpen with 300 harquebuſyers out of this garriſon, for their better defence. And albeit, I know right well the goodneſs of their cauſe, and the queen's majeſty our ſovereign's good will, and care towards them; and do alſo underſtand that it were very requiſite to have them holpen, for that now their cauſe is to be in this manner decided, and that it now ſtandeth upon their utter overthrow and undoing, ſince the queen's party is at the leaſt 5000, and they not much above 1000; beſides, that the queen hath harquebuſyers, and they have none, and do yet want the power that the earl of Arguyle ſhould bring to them, who is not yet joined with theirs; I have thereupon thought good to pray you to be a means to learn her majeſty's pleaſure in this behalf, what, and how, I ſhall anſwer them, or otherwiſe deal in this matter, now at this their extreme neceſſity. For, on the one ſide, lyeth thereupon their utter ruin and overthrow, and the miſerable ſubverſion of religion there; and, on the other ſide, to adventure ſo great and weighty a matter as this is, (albeit it be but of a few ſoldiers, for a ſmall time) without good warraunte, and thereby to bring, peradventure, upon our heads ſome wilful warrs, and in the mean time to leave the place unfurniſhed, (having in the whole but 800) without any grant of new ſupply for the ſame; and by that means alſo, to leave the marches here the more ſubject to invaſion, while in the mean ſeaſon new helps are preparing; to this know not I what to ſay or how to do. And ſo much more I marvel thereof, as that having ſo many times written touching this matter no reſolute determination cometh. And ſo between the writing, and looking for anſwer, the occaſion cannot paſs, but muſt needs proceed and have ſucceſs. God turn it to his glory; but ſurely all mens reaſon hath great cauſe to fear it. Such a puſh it is now come unto, as this little ſupply would do much good to advance God's honour, to continue her majeſty's great and careful memory of them, and to preſerve a great many noblemen and gentlemen. If it be not now helpen, it is gone for ever. Your good will and affection that way I do nothing miſtruſt, and herein ſhall take ſuch good advice as by any means I can.

I re-

I received from theſe lords two papers incloſed, the effect whereof ſhall appear unto you. For thoſe matters that captain Brickwell brought, I ſhall anſwer you by my next, and herewith ſend you two letters from Mr. Randolph, both received this day. By him you ſhall hear that the proteſtants are retired from Edenborough, further off. So I hope your reſolution for their aid ſhall come in time, if it come with ſpeed, for that they will not now ſo preſently need them; and ſo with my hearty thanks commit you to God. From Berwick, this 2d of Sept. 1565.

No. XIII. (Vol. I. p. 345.)

The queen to the earl of Bedford.

UPON the advertiſements lately received from you, with ſuch other things as came alſo from the lord Scrope and Thomas Randolph, and upon the whole matter well conſidered, we have thus determined. We will, with all the ſpeed that we can, ſend to you 3000l. to be thus uſed. If you ſhall certainly underſtand that the earl of Murray hath ſuch want of money, as the impreſting to him of 1000l. might ſtand him in ſtead for the help to defend himſelf, you ſhall preſently let him ſecretly to underſtand, that you will, as of yourſelf, let him have ſo much, and ſo we will that you let him have, in the moſt ſecret ſort that you can, when the ſaid ſum ſhall come to you, or if you can, by any good means, advance him ſome part there beforehand. 12 Sept. 1565. Paper Office.

THE other 2000l. you ſhall cauſe to be kept whole, unſpent, if it be not that you ſhall ſee neceſſary cauſe to impreſt ſome part thereof to the now numbers of the 600 footmen and 100 horſemen; or to the caſting out of wages of ſuch workmen, as by ſickneſs, or otherwiſe, ought to be diſcharged. And where we perceive, by your ſundry letters, the earneſt requeſt of the ſaid earl of Murray and his aſſociates, that they might have, at the leaſt, 300 of our ſoldiers, to aid them. And that you alſo write, that tho' we would not command you to give them aid, yet if we would but wink at your doing herein, and ſeem to blame you for attempting ſuch things, as you with the help of others ſhould bring about, you doubt not

not but things would do well; you ſhall underſtand for a truth, that we have no intention, for many reſpects, to maintain any other princes ſubjects, to take arms againſt their ſovereign; neither would we willingly do any thing to give occaſion to make wars betwixt us and that prince, which has cauſed us to forbear, hitherto, to give you any power to let them be aided with any men. But now, conſidering we take it, that they are purſued, notwithſtanding their humble ſubmiſſion, and offer to be ordered and tried by law and juſtice, which being refuſed to them, they are retired to Domfreſe, a place near our weſt marches, as it ſeemeth there to defend themſelves, and adding thereunto the good intention that preſently the French king pretendeth, by ſending one of his to join with ſome one of ours, and jointly to treat with that queen, and to induce her to forbear this manner of violent and rigorous proceeding againſt her ſubjects, for which purpoſe the French ambaſſador here with us has lately written to that queen, whereof anſwer is daily looked for; to the intent in the mean time the ſaid lords ſhould not be oppreſſed and ruined, for lack of ſome help to defend them, we are content and do authorize, if you ſhall ſee it neceſſary for their defence, to let them (as of your own adventure, and without notifying that you have any direction therein from us) to have the number of 300 ſoldiers, to be taken either in whoſe bands, or to be drawn out of all your bands, as you ſhall ſee cauſe. And to cover the matter the better, you ſhall ſend theſe numbers to Carliſle, as to be laid there in garriſon, to defend that march, now in this time that ſuch powers are on the other part drawing to thoſe frontiers, and ſo from thence as you ſhall ſee cauſe to direct of, the ſame numbers or any of them, may moſt covertly repair to the ſaid lords, when you ſhall expreſsly advertize, that you ſend them that aid only for their defence, and not therewith to make war againſt the queen, or to do any thing that may offend her perſon, wherein you ſhall ſo preciſely deal with them, that they may perceive your care to be ſuch as if it ſhould otherwiſe appear, your danger ſhould be ſo great, as all the friends you have could not be able to ſave you towards us. And ſo we aſſure you our conſcience moveth us to charge you, ſo to proceed with them; for otherwiſe than to preſerve them from ruin, we do not yield to give them aid of money or men: And yet we would not that either of

of theſe were known to be our act, but rather to be covered with your own deſire and attempt.

No. XIV. (Vol. I. p. 360.)

Randolph to Cecil, from Edinburgh, 7th Feb. 1565-6.

MY humble duty conſidered; what to write of the preſent ſtate of the country I am ſo uncertain, by reaſon of the daily alterations of mens minds, that it maketh me much ſlower than otherwiſe I would. Within theſe few days, there was ſome good hope, that this queen would have ſhewed ſome favour towards the lords, and that Robert Melvin ſhould have returned unto them with comfort, upon ſome conditions. Since that time, there are come out of France Clernau by land, and Thorneton by ſea; the one from the cardinal, the other from the biſhop of Glaſgow. Since whoſe arrival neither can there be good word gotten, nor appearance of any good intended them, except that they be able to perſwade the queen's majeſty our ſovereign to make her heir apparent to the croun of England. I write of this nothing leſs than I know, that ſhe hath ſpoken. And by all means that ſhe thinketh the beſt doth travaile to bring it to paſs. There is a band lately deviſed, in which the late pope, the emperor, the king of Spain, the duke of Savoy, with divers princes of Italy, and the queen mother ſuſpected to be of the ſame confederacy to maintain papiſtry throughout Chriſtiandom; this band was ſent out of France by Thorneton, and is ſubſcribed by this queen, the copy thereof remaining with her, and the principal to be returned very ſhortlie as I hear by Mr. Stephen Willſon, a fit miniſter for ſuch a deviliſh deviſe; if the coppie hereof may be gotten, that ſhall be ſent as I conveniently may. Monſieur Rambollet came to this toun upon Monday, he ſpoke that night to the queen and her huſband, but not long; the next day he held long conferences with them both, but nothing came to the knowledge of any whereof they intreated. I cannot ſpeak with any that hath any hope that there will be any good done for the lords by him, though it is ſaid that he hath very good will to do ſo to the uttermoſt of his power. He is lodged near to the court, and liveth upon the queen's charges. Upon Sunday

An Original.

day the order is given, whereat means made to many to be preſent that day at the maſs. Upon Candlemas day there carried their candles, with the queen, her huſband, the earl of Lennox, and earl Athol; divers other lords have been called together and required to be at the maſs that day, ſome have promiſed, as Caſſels, Mongomerie, Seton, Cathneſs. Others have refuſed, as Fleming, Levingſton, Lindſay, Huntly and Bothel; and of them all Bothel is the ſtouteſt, but worſt thought of; it was moved in council that maſs ſhould have been in St. Giles church, which I believe was rather to tempt men's minds, than intended indeed: She was of late minded again to ſend Robert Melvin to negotiate with ſuch as ſhe truſteth in amongſt the queen's majeſty's ſubjects, of whoſe good willis this way I truſt that the bruit is greater than the truth, but in theſe matters, her majeſty is too wiſe not in time to be ware, and provide for the worſt; ſome in that country are thought to be privie unto the bands and confederacie of which I have written, where of I am ſure there is ſome things, tho' perchance of all I have not heard the truth; in this court divers quarles, contentions, and debates; nothing ſo much ſought as to maintain miſchief and diſorder. David yet retaineth ſtill his place, not without heart grief to many, that ſee their ſovereign guided chiefly by ſuch a fellow; the queen hath utterly refuſed to do any good to my lord of Argyll, and it is ſaid that ſhall be the firſt voyage that ſhe will make after ſhe is delivered of being with child; the bruit is common that ſhe is, but hardly believed of many, and of this, I can aſſure you, that there have of late appeared ſome tokens to the contrary.

No. XV. (Vol. I. p. 369.)

Part of a letter from the earl of Bedford and Mr. Tho. Randolph to the lords of the council of England from Barwick, 27th of March 1566. An Original in the Cotton Library, Caligula B. 10. fol. 372.

May it pleaſe your Honours,

27th March 1566. HEARING of ſo maynie matters as we do, and fyndinge ſuch varietie in the reports, we have myche ado to decerne the veritie: which maketh us the ſlower

ſlower and loother to put any thing in wryting, to the entente we wold not that your honours, and by you the queen's majeſtie, our ſovereigne, ſhould not be advertiſed but of the verie trothe as we can poſſible. To this end we thought good to ſend up captain Carewe, who was in Edinbourge at the tyme of the laſt attemptate, who ſpoke there with diverſe, and after that with the queen's ſelf and her huſband conforme to that, which we have learned by others, and know by this reporte, we ſend the ſame, confirmed by the parties ſelf, that were there preſent and aſſyſters unto theſe that were executors of the acte.

THIS we fynde for certain, that the queen's huſband being entered into a vehement ſuſpicion of David, that by hym ſome thynge was committed, which was moſt agaynſte the queen's honour, and not to be borne of his perte, fyrſte communicated his mynde to George Duglas, who fynding his ſorrows ſo great ſought all the means he coulde to put ſome remedie to his grieff; and communicating the ſame unto my lord Ruthen by the king's commandment, no other waye coulde be found then that David ſhould be taken out of the waye. Wherein he was ſo earneſt and daylye preſſed the ſame, that no reſte could be had untyll it was put in execution. To this that was found good, that the lord Morton, and lord Lindſaye ſhould be made privie to th' intente that theie might have their friends at hande, yf neade required; which cauſed them to aſſemble ſo mayny, as theie thought ſufficient againſt the tyme, that this determination of theirs ſhould be put in executione; which was determined the ixth of this inſtante 3 daies afore the parliament ſhould begyne, at which time the ſayde lords were aſſured that the erles Argyle, Morraye, Rothes and their complyces ſholde have been forfeited, yf the king could not be perſuaded through this means to be their friends; who for the deſyre he had that this intent ſhould take effect th' one waye, was content to yielde, without all difficultie to t'other, with this condition, that theie ſhould give their conſents, that he might have the crowne matrimonial. He was ſo impatient to ſee theſe things he ſaw, and were daylye brought to his eares, that he dayly preſſed the ſaid lord Ruthen, that there might be no longer delay; and to the intent that myght manifeſte unto the world, that he approved the acte, was content to be at the doing of that himſelf.

Upon Saturdaye at night neire unto viii of the clock the king conveyeth himſelf, the lord Ruthen, George Duglaſs, and two others, throwe his own chambe by the privy ſtayers up to the queen's chamber going to which there is a cabinet about xii foot ſquare; in the ſame a little low repoſing bed and a table, at the which theyr were ſitting at ſupper the queene, the lady Argile, and David with his capp upon his head. Into the cabinet there cometh in the king and lord Ruthen, who willed David to come forth, ſaying, that was no place for him. The queen ſaid, that it was her will. Her howſband anſwerede, that y^t was againſt her honour. The lord Ruthen ſaid, that he ſhould lerne better his deutie, and offering to have taken him by the arm, David took the queen by the blychtes of her gown and put himſelf behind the queen who wolde gladlee have ſaved him: But the king having looſed his hand, and holding her in his arms, David was thruſt out of the cabinet throw the bed chamber into the chamber of preſens, whar were the lord Morton, lord Lindſey, who intending that night to have reſerved hym, and the next day to hang him, ſo mane being about him, that bore him evil will, one thruſt him into the boddie with a dagger, and after hym a great many others, ſo that he had in his bodie above wonds. It is told for certayne, that the king's own dagger was left ſticking in him. Wheather he ſtuck him or not we cannot be here certayn. He was not ſlayne in the queen's preſens, as was ſaid, but going down the ſtayres out of the chamber of preſens.

There remayned a long tyme with the queen her howſband and the lord Ruthen. She made, as we here, great interceſſion, that he ſhold have no harm. She blamed greatlee her howſband that was thee actor of ſo foul a deed. It is ſaid, that he did anſwer, that David had more companie of her boddie than he for the ſpace of two months; and therefore for her honour and his own contentment he gave his conſent that he ſhould be taken away. "It is not," (ſaythe ſhe) "the woman's part to ſeek "the huſband," and therefore in that the fault was his own. He ſaid that when he came, ſhe either wold not or made herſelf ſick. "Well," ſaythe ſhe, "you have "taken your laſt of me and your farewell." Then were pity, ſayth the Lord Ruthen, he is your majeſty's huſband and muſt yield dutie to each other. "Why may "I not,"

"I not," fayth she, "leave him as well as your wife "did her husband?" Other have done the like. The lord Ruthen said that she was lawfully divorced from her husband, and for no such cause as the king found himself greve. Besydes this man was mean, basse, enemie to the nobility, shame to her, and destruction to herself and country. "Well," saith she, "that shall be dear blude "to some of you, yf his be spylt." God forbid, sayth the lord Ruthen; for the more your grace showe yourself offended, the world will judge the worse.

Her husband this tyme speaketh litle, herself continually weepeth. The lord Ruthen being ill at ease and weak calleth for a drink, and saythe, "This I must do "with your majesties pardon," and persuadeth her in the best sort he could, that she would pacify herself. Nothing that could be said, could please her.

In this mean time there rose a nombre in the court; to pacify which there went down the lord Ruthen, who went strayt to the erles Huntly, Bothwell and Atholl to quiet them, and to assure them from the king that nothing was intend against them. These notwithstanding taking fear, when theie heard that my lord Murray wold be there the next day, and Argile meet them, Huntly and Bothwell both get out of a window and so depart. Atholl had leave of the king with Flyth and Glandores (who was lately called Doysley the person of Owne) to go where they wold, and bring concorde out of the court by the lord of Lidington. Theie went that night to such places, where they thought themselves in most sauftie.

Before the king least talk with the queen, in the hering of the lord Ruthen she was content that he should lie with her that night. We know not how he ** himself, but came not at her, and excused hymself to his friends, that he was so sleepie, that he could not wake in due season.

There were in this companie two that came in with the king; the one Andrewe Car of Fawdenside, whom the queen sayth would have stroken her with a dagger, and one Patrick Balentine, brother to the justice clerk, who also her grace sayth, offered a dag against her belly with the cock down. We have been earnestly in hand with the lord Ruthen to know the varitie; but he assoureth us of the contrarie. There were in the queen's chamber the lord Robert, Arthur Arskin, one or two others.

They

They at the firſt offering to make a defence, the lord Ruthven drawd his dagger, and 4 mo weapons then, that were not drawn nor ſeen in her preſens, as we are by this lord aſſured.

[The letter afterwards gives an account of the flight to Dunbar Caſtle, whither reſorted the lords Huntley and Bothwell: That the earl of Morton and lord Ruthven find themſelves left by the king for all his fair promiſes, bonds, and ſubſcriptions. That he had proteſted before the council, that he was never conſenting to the death of David, and that it is ſore againſt his will: "That "of the great ſubſtance David had there is much ſpoken, "ſome ſay in gold to the value of 11^{m}£. His apparel "was very good, as it is ſaid, 28 pair of velvet hoſe. "His chamber well furniſhed, armour, dagger, pyſto-"letts, harquebuſes, 22 ſwords. Of all this nothing "ſpoyld or lacked ſaving 2 or 3 daggers. He had the "cuſtody of all the queen's letters, which all were deli-"vered unlooked upon. We hear of a juill, that he had "hanging about his neck of ſome price, that cannot be "heard of. He had upon his back, when he was ſlayn, "a night gown of damaſk furred, with a ſatten doublet, "a hoſe of ruſſet velvet."]

No. XVI. (Vol. I. p. 379.)

Part of a Letter from Randolph to Cecil, Jan 16, 1565-6.

——— I CANNOT tell what miſliking of late there hath been between her grace and her huſband, he preſſeth earneſtly for the matrimonial crown, which ſhe is loth haſtily to grant; but willing to keep ſomewhat in ſtore, until ſhe know how well he is worth to enjoy ſuch a ſovereignty: and therefore it is thought that the parliament for a time ſhall be deferred, but hereof I can write no certainty.

From Mr. Randolph's letter to ſecretary Cecil.

4 April, 1566. Paper Office, from the Original.

THE juſtice-clerk in hard terms, more for his brother's cauſe than any deſert, and as far as I can hear the king of all other in worſt, for neither hath the queen good

good opinion of him for attempting of any thing that was againſt her will, nor the people that he hath denied ſo manifeſt a matter, being proved to be done by his commandment, and now himſelf to be the accuſer and purſuer of them that did as he willed them. This Scott, that was executed, and Murray that was yeſterday arraigned, were both accuſed by him. It is written to me, for certain, by one, that upon Monday laſt ſpoke with the queen, that ſhe is determined that the houſe of Lennox ſhall be as poor in Scotland as ever it was. The earl continueth ſick, ſore troubled in mind; he ſtaith in the abby, his ſon hath been once with him, and he once with the queen, ſince ſhe came to the caſtle. The queen hath now ſeen all the covenants and bands that paſſeth between the king and the lords, and now findeth that his declaration, before her and council, of his innocency of the death of David was falſe; and grievouſly offended that, by their means, he ſhould ſeek to come to the crown matrimonial.

Part of a letter from Randolph to Cecil from Berwick, 25 April 1566.

—— THERE is continually very much ſpeech of the diſcord between the queen and her huſband, ſo for that, that is commonly ſaid and believed of himſelf, that Mr. James Thornton is gone to Rome to ſue for a divorce between them. It is very certain that Malevaſier had not ſpoken with him within theſe three days. He is neither accompanied nor looked upon of any nobleman: attended upon by certain of his own ſervants, and ſix or ſeven of the guard; at liberty to do, and go where and what he will, they have no hope yet among themſelves of quietneſs.

—— DAVID's brother named Joſeph, who came this way with Malevaſier, unknown to any man here, is become ſecretary in his brother's place.

No. XVII. (Vol. I. p. 384.)

The earl of Bedford to Cecil, 3d Auguſt 1566.

THE queen and her huſband agree after the old manner, or rather worſe. She eateth but very ſeldom with him, lieth not, nor keepeth company with him, nor loveth any ſuch as love him. He is ſo far out of her books, as at her going out of the Caſtle of Edinburgh, to remove abroad, he knew nothing thereof. It cannot for modeſty, nor with the honour of a queen, be reported what ſhe ſaid of him. One Hickman, an Engliſh merchant there, having a water ſpaniel which was very good, gave him to Mr. James Melvill, who afterwards, for the pleaſure, which he ſaw the king have in ſuch kind of dogs, gave him to the king. The queen thereupon fell marvellouſly out with Melvill, and called him diſſembler and flatterer, and ſaid ſhe could not truſt one, who would give any thing to ſuch one as ſhe loved not.

The earl of Bedford to Cecil, Aug. 8.

THE diſagreement between the queen and her huſband continueth, or rather increaſeth. Robert Melvill drawing homewards, within twelve miles of Edinburgh, could not tell where to find the queen; ſith which time ſhe is come to Edinburgh, and had not twelve horſes attending on her. There was not then, nor that I can hear of ſince, any lord baron, or other nobleman in her company. The king her huſband is gone to Dumfermling, and paſſeth his time as well as he may; having at his farewell, ſuch countenance as would make a huſband heavy at the heart.

Sir John Forſter to Cecil, 8 Sept. from Berwick.

THE queen hath her huſband in ſmall eſtimation, and the earl of Lennox came not in the queen's ſight ſince the death of Davy.

Sir

Sir John Forſter to Cecil, 11th Dec.

THE earl of Bothwell is appointed to receive the ambaſſadors, and all things for the chriſtening are at his lordſhip's appointment, and the ſame is ſcarcely well liked of the nobility, as is ſaid. The king and queen is preſently at Craigmillar, but in little greater familiarity than he was all the while paſt.

Advertiſements out of Scotland from the earl of Bedford.

THAT the king and the queen agreed well together two days, after her coming from ——, and after my lord of Murray's coming to Edinburgh, ſome new diſcord has happened. The queen hath declared to my lord of Murray that the king bears him evil will, and has ſaid to her, that he is determined to kill him, finding fault that ſhe doth bear him ſo much company: and in like manner hath willed my lord of Murray to ſpiere the king, which he did a few nights ſince in the queen's preſence, and in the hearing of divers. The king confeſſed, that reports were made to him, that my lord of Murray was not his friend, which made him ſpeak that thing he repented; and the queen affirmed, that the king had ſpoken ſuch words unto her, and confeſſed before the whole houſe, that ſhe could not be content that either he or any other ſhould be unfriend to my lord of Murray. My lord of Murray enquired the ſame ſtoutly, and uſed his ſpeech very modeſtly, in the mean time the king departed very grieved; he cannot bear that the queen ſhould uſe familiarity either with man or woman, and eſpecially the ladies of Arguile, Murray, and Marre, who keep moſt company with her. My lord of Murray and Bothwell have been at evil words for the L. of Ledington, before the queen, for he and Sir James Balfoure had new come from Ledington, with his anſwer upon ſuch heads or articles as Bothwell and he ſhould agree upon, which being reported to the ſaid earl in the queen's preſence, made anſwer, that ere he parted with ſuch lands as was deſired, he ſhould part with his life. My

Auguſt 1566, Paper Office, from the original.

lord of Murray ſaid ſtoutly to him, that twenty as honeſt men as he ſhould loſe their lives ere he reafte Ledington. The queen ſpake nothing, but heard both; in theſe terms they parted, and ſince, that I hear of, have not met. The queen after her hunting came to Edinburgh, and carryeth the prince thence to Stirling with her. This laſt Saturday was executed a ſervant of the lord Ruthven's, who confeſſed that he was in the cabinet, but not of council of the fact. The queen hath alſo opened to my lord of Murray, that money was ſent from the pope, how much it was, and by whom, and for what purpoſe it was brought.

No. XVIII. (Vol. I. p. 400.)

Part of a letter from Elizabeth to Mary, Feb. 20, 1569. A copy interlined by Cecil. It contains an anſwer to a complaining letter of Mary's upon the impriſoning of the Biſhop of Roſs.

—— AFTER this [i. e. Mary's landing in Scotland] how patiently did I bear with many vain delays in not ratifying the treaty accorded by your own commiſſioners, whereby I received no ſmall unkindneſs, beſides the manifold cauſes of ſuſpicion that I might not hereafter truſt to any writings. Then followed a hard manner of dealing with me, to entice my ſubject and near kinſman, the lord Darnly, under colour of private ſuits for land, to come into the realm, to proceed in treaty of marriage with him without my knowledge, yea to conclude the ſame without my aſſent or liking. And how many unkind parts accompanied that fact, by receiving of my ſubjects that were baſe runnegates and offenders at home, and enhancing them to places of credit againſt my will with many ſuch like, I will leave for that the remembrance of the ſame cannot but be noyſome to you. And yet all theſe did I as it were ſuppreſs and overcome with my natural inclination of love towards you; and did afterwards gladly, as you know, chriſten your ſon, the child of my ſaid kinſman, that had before ſo unloyally offended me, both in marriage of you, and in other undutiful uſages towards me his ſovereign. How friendly alſo dealt I by meſſages to reconcile him, being your huſband.

band, to you, when others nouriſhed diſcord betwixt you, who as it ſeemed had more power to work their purpoſes, being evil to you both, than I had to do you good, in reſpect of the evil I had received. Well I will overpaſs your hard accidents that followed for lack of following my council. And then in your moſt extremity, when you was a priſoner indeed, and in danger of your life from your notorious evil willers, how far from my mind was the remembrance of any former unkindneſs you had ſhewed me. Nay how void was I of reſpect to the deſigns which the world had ſeen attempted by you to my crown, and the ſecurity that might have enſued to my ſtate by your death, when I finding your calamity to be great, that you were at the pit's brink to have miſerably loſt your life, did not only intreat for your life, but ſo threatened ſome as were irritated againſt you, that I only may ſay it, even I was the principal cauſe to ſave your life.

No. XIX. (Vol. I. p. 419.)

Letter of Q. Elizabeth to Q. of Scotts. Thus marked on the back with Cecil's hand.—*Copia Literarum Regiæ Majeſtatis ad Reginam Scotorum.* VIII°. *Aprilis.*

MADAME, vous ayant trop moleſtè par M. de Crocq, je n'euſſe eu ſi peu de conſideration de vous faſcher de cette lettre, ſi les liens de charitè vers les ruinez, et les prieres des miſerables ne m'y contraignaſſent. Je entens que un edit a etè divulguè de par vous, madame, que ung chaſcun, que veult juſtifier que ons eſtè les meurtriers de votre feu mari, et mon feu couſin, viennent a le faire le XIIme de ce mois. La quelle choſe, comme c'eſt plus honorable et neceſſaire, qui en tel cas ſe pourra faire, ne y eſtant cachè quelque miſtere ou fineſſe, ainſi le pere et amis du mort gentelhomme m'ont humblement requis, que je vous priaſſe de prolongue le jour, pource qu'ilz cognoiſſent que les iniques ſe ſont combinès par force de faire ceque par droict ils ne pourront pas faire; partant, je ne puis mais ſinon pour l'amour de vous meme, a qui il touche le plus, et pour la conſolation des innocens, de vous exhorter le leur conceder cette requeſte, laquelle, ſi elle les ſeroit niè, vous tourneroit grandement en ſoupçon, de plus que j'eſpere ne penſez, et que ne voudriez volon- Paper Office.

tiers ouyr. Pour l'amour de Dieu, madame, uſez de telle ſincerité & prudence en ce cas qui vos touche de ſi pres, que tout le monde aye raiſon, de vous livrer comme innocente d'ung crime ſi enorme, choſe que ſi ne fiſtes, ſeriez dignement eſbloyë hors de rancz de princeſſes, & non ſans cauſe faite opprobre de vulgaire, et plutot que cela vous avienne, je vous ſouhaiterois une ſepulture honorable, qu'une vie maculeè ; vous voiez madame, que je vous traite comme ma fille, et vous promets, que ſi j'en euſſe, ne luy ſouhaiterois mieulz, que je vous deſire, comme le Seigneur Dieu me porte teſmoignage, a qui je prie de bon cœur de vous inſpirer a faire ce qui vous ſera plus a honneur, et a vos amis plus de conſolation, avec mes tres cordialles recommendations comme a icelle a qui ſe ſouhaite le plus de bien, qui vous pourra en ce monde avenir. De Weſt. ce 8 jour de Janvier [b] en haſte.

No. XX. (Vol. I. p. 434.)

Account of the ſentence of divorce between the earl of Bothwell and lady Jean Gordon his wife. From a manuſcript belonging to Mr. David Falconer, advocate. Fol. 455.

UPOUN the 29 of Apryle 1567, before the richt hon. Mr. Robert Maitland dean of Aberdene, Mr. Edward Henryſon doctor in the laws, two of the ſenators of the college of juſtice, Mr. Clement Little, and Mr. Alexander Syme advocattis, commiſſers of Edr; compeered Mr. Henry Kinroſſe, procurator for Jean Gourdoune countes of Bothwell, conſtitute be her for purſewing of ane proces of divorcement intendit by her contra James erle Bothwel her huſband for adultry, committed be him with Beſſie Crawfurde the purſuers ſervant for the time ; and ſicklyke, for the ſaid erle, compeared Mr. Edmond Hay, who efter he had purſued and craved the purſuer's procurator's oath de calumnia, if he had juſt caus to purſew the ſaid action, and obtained it, denyed the libell, and the ſaid Mr. Harrie took the morne, the laſt day of Apryle, to prove the ſame pro prima. The quhilk day, having produced ſome witneſſes, he took the next day, being the 1 of May, to do farther diligence. Upon the quhilk 1 of May, he produced ſome moe witneſſes, and

[b] A miſtake in the date corrected with Cecil's hand VIII°. Aprilis.

re-

renounced farther probatioune. After quhilk, he desired a term to be assigned to pronounce sentence. To whom the said commissars assigned Satterday next, the 3 of May, to pronounce sentence therein, secundum allegata et probata, quilk accordingly was given that day in favour of the pursewar.

At the same time there was another proces intendit be the erl of Bothwell contra his lady, for to have their marriage declared nul, as being contracted against the canons, without a dispensation, and he and his lady being within degrees defendand, viz ferdis a kin, and that wyse for expeding of this proces, there was a commissioune grantit to the archbishop of St. Androis to cognosce and determine it, and Rot. bishop of Dunkeld, William bishop of Dunblane, Mr. Andro Crausurd chanon in Glasgow, and parson of Egelshame, Mr. Alexander Creichtoun, and Mr. George Cooke chancellor of Dunkeld, and to Mr. Johne Manderstoune chanon in Dunbar and prebendar of Beltoune, or any ane of them. This commissione is datit 27 Aprile 1567, was presented to two of the saids commissioners, viz. Mr. Andr Crawfurd and Mr. John Manderstoune on Satterday 3 May, by Mr. Thomas Hepburne parson of Auldhamstocks, procurator for the erle of Bothwell, who accepted the delegatioune, and gave out their citation by precept, directed, Decano Christianitatis de Hadingtone, nec non vicario seu curato eccle. parochiæ de Creichtoune, seu cuicunq; alteri cappellano debite requisitis, for summoning, at the said erles instance, both of the lady personally if she could be had, or otherways at the parosche kerk of Creichtoune the time of service, or at her dwelling place before witnesses, primo, secundo, tertio et peremptorie, unico tamen contextu protuplice edicto. And likeways to be witnesses in the said matter, Alex. bishop of Galloway, who did marry the said erle and his lady, in Halerud-house kirk, in Feb. 1565, sir John Bannatyne of Auchnoule justice clerk, Mr. Robert Creichtoun of Elliok the queen's advocate, Mr. David Chalmers provost of Creichtoun and chancellor of Ross, Michael — abbot of Melrose, and to compear before the said judges or any one of them in St. Geils kirk in Edt on Monday the 5 of May, be thamselves, or their procurators. Upon the said 5 day, Mr. John Manderstoun, one of the judges delegat only being present, compeared the same procurators for both the parties that were in the former proces,

Two words in the parenthesis illegible.

Mr. Edmund Hay (articulatlie) and ſome of the witneſſes ſummoned produced, and received for proving of the ſame. The ſaid procurator renounced farder probatioune, and the judge aſſigned the morne, the 6th of May, ad publicandum producta, nempe depoſitiones ipſorum teſtium. The quhilk day, poſt publicatas depoſitiones prædictas, Mr. Hen. Kinroſſe, procurator for the lady inſtanter objecit objectiones juris generaliter, contra producta, inſuper renunciavit ulteriori defenſioni; proinde concluſa de conſenſu procuratorum hinc inde cauſa, judex prædictus ſtatuit craſtinum diem pro termina, ad pronunciandam ſuam ſententiam definitivam, ex deductis coram eo, in præſenti cauſa et proceſſu. Conform hereunto, on Wedneſday the 7th of May, the ſaid judge gave out his ſentence in favour of the erle, declaring the marriage to be, and to have been null from the beginning, in reſpect of their contingence in blood, which hindered their lawful marriage without a diſpenſation obtained of befoir.

No. XXI. (Vol. I. p. 438.)

A letter from England concerning the murder of king Henry Darnley.

E. of Morton's Archieves. Bundle B. No. 25.

HAVING the commodity of this bearer Mr. Clark, I tho't good to write a few words unto you. I have rec^d. ſome writs from you; and ſome I have ſeen lately ſent to others from you, as namely to the earl of Bedford of the 16th of May. I have participat the contents thereof to ſuch as I thought meet, this mekle I can aſſure you; the intelligence given hither by the French was untrue, for there was not one papiſt nor proteſtant which did not conſent that juſtice ſhould be done, be the queen my ſov^as. aid and ſupport, againſt ſuch as had committed that abominable ill murder in your country; but to ſay truth, the lack and coldneſs did not riſe from ſuch as were called to council, but from ſuch as ſhould give life and execution thereunto. And further, I aſſure you, I never knew no matter of eſtate proponed which had ſo many favourers of all ſorts of nations as this had: yea, I can ſay unto you, no man promoted the matter with greater affection, than the

the Spaniſh ambaſſador. And ſure I am that no man dare openly be of any other mind, but to affirm that whoſoever is guilty of this murder handfaſted with advoutre, is unworthy to live. I ſhall not need to tell you, which be our letts, and ſtayes from all good things here. You are acquainted with them as well as I. Needs I muſt confeſs, that howſoever we omit occaſions of benefit, honour, and ſurety; it behoveth your whole nobility, and namely ſuch as before and after the murder were deemed to allow of Bodwell, to proſecute with ſword and juſtice the puniſhment of thoſe abominable acts, though we lend you but a cold aid, and albeit you, and divers others, both honourable and honeſt, be well known to me, and ſundry others here, to be juſtifiable in all their actions and doings; yet think not the contrary but your whole nation is blemiſhed and infamit by theſe doings which lately paſſed among you. What we ſhall do I know not, neither do I write unto you aſſuredly, for we be ſubject unto many mutations, and yet I think we ſhall either aid you, or continue in the defence and ſafeguard of your prince, ſo as it appear to us that you mean his ſafeguard indeed, and not to run the fortune of France, which will be your own deſtruction, if you be unadviſed. I know not one, no not one of any quality or eſtate in this country, which does allow of the queen your ſovereign, but would gladly the world were rid of her, ſo as the ſame were done without farther ſlander, that is to ſay by ordinary juſtice. This I ſend the 23d of May.

No. XXII. (Vol. I. p. 448.)

Part of a letter from Sir Nicolas Throkmorton to Cecil, 11th of July 1567, from Berwick.

—SIR, your letter of the 6th of July, I received the 10th at Berwick. I am ſorry to ſee that the queen's majeſty's diſpoſition altereth not towards the lords, for when all is done, it is they which muſt ſtand her more in ſtead, than the queen her couſin, and will be better inſtruments to work ſome benefite and quietneſs to her majeſty and her realm, than the queen of Scotland which is void of good fame. An Original Paper Office.

A let-

A letter from Sir Nicolas Throkmorton to Cecil, from Faſtcaſtle, 12th of July 1567.

Paper Office. SIR, as you might perceive by my letter of the 11th July, I lodged at Faſtcaſtle that night, accompanyed with the lord Hume, the lord of Ledington, and James Melvin, where I was intreated very well, according to the ſtate of that place, which is fitter to lodge priſoners than folks at liberty, as it is very little, ſo it is very ſtrong. By the conference I have had with the lord of Ledington I find the lords his aſſociates and he hath left nothing unthought of, which may be either to thir danger, or work them ſurety, wherein they do not forget what good and harme France may do them, and likewiſe they conſider the ſame of England; but as farr as I can perceive, to be plain with yow, they find more perril to grow unto them through the queens majeſtys dealing than either they do by the French, or by any contrary faction amongeſt themſelves, for they aſſure themſelves the queen will leave them in the bryers if they run her fortoun, and though they do acknowledge great benefit as well to them, as to the realm of England by her majeſty's doings at Leith, whereof they ſay mutually her majeſty and both the realms have received great fruit: yet upon other accidents which have chanced ſince, they have obſerved ſuch things in her majeſty's doings, as have ended to the danger of ſuch as ſhe hath dealt withal, to the overthrow of your own deſignments, and little to the ſurety of any party: and upon theſe conſiderations and diſcourſes at length, methinketh I find a diſpoſition in them, that either they mind to make their bargain with France, or elſe to deal neither with France nor yow, but to do what they ſhall think meet for their ſtate and ſurety, and to uſe their remedy as occaſions ſhall move them; meaning neither to irritate France nor England, untill ſuch time as they have made their bargain aſſuredly with one of yow; for they think it convenient to proceed with yow both for a while pari paſſu, for that was my lord of Ledington's terms. I do perceave they take the matter very unkindly, that no better anſwer is made to the letter, which the lords did ſend to her majeſty, and likewiſe that they hear nothing from yow to their ſatisfaction, I have anſwered as well as I can, and have alledged their own proceedings ſo obſcurely with the queen,

and their uncertainty hath occationed this that is yet happened, and therefore her Majeſty hath ſent me to the end I may inform her throughly of the ſtate of the matters, and upon the declaration of their minds and intents to ſuch purpoſes as ſhall be by me propoſed on their majeſty's behalf unto them, they ſhall be reaſonably and reſolutely anſwered. At theſe things the lord of Ledington ſmiled and ſhook his head, and ſaid it were better for us yow would let us alone, than neither to do us nor yourſelves good, as I fear me in the end that will prove; S^r if there be any truth in Ledington, le Crocq is gone to procure Ramboilet his coming hither or a man of like quality, and to deliver them of their queen for ever, who ſhall lead her life in France, in a abby recluſed, the prince at the French devotion, the realm governed by a council of their election of the Scottiſh nation, the forts committed to the cuſtody of ſuch as ſhall be choſen amongſt themſelves, as yet I find no great likelihood that I ſhall have acceſs to the queen, it is objected they may not ſo diſpleaſe the French king, unleſs they were ſure to find the queen of England a good friend; and when they once by my acceſs to the queen have offended the French, then they ſay yow will make your profit thereof to their undoing; and as to the queen's liberty, which was the firſt head that I propoſed, they ſaid that thereby they did perceive that the queen wants their undoing, for as for the reſt of the matters it was but folly to talk of them the liberty going before; but ſaid they, if you will do us no good, do us no harm, and we will provide for our ſelves. In the end they ſaid, we ſhould refuſe our own commodity, before they concluded with any other, which I ſhould hear of at my coming to Edin^r; by my next I hope to ſend you the band concluded by Hamiltons, Argyll, Huntly, and that faction, not ſo much to the prejudice of the lords of Edin^r, as that which was ſent into France; thus having no more leaſure but compelled to leap on horſeback with the lords to go to Edin^r, I humbly take my leave of from Faſtcaſtle the 12th of July 1567.

To

To Sir Nicolas Throkmorton being in Scotland. By the queen, the 14th July 1567.

TRUSTY and well beloved we greet you well, though we think that the cauſes will often change upon variety of accidents, yet we think for ſundry reſpects, not amiſs, that as yow ſhall deal with the lords having charge of the young prince for the committing of him into our realm, ſo ſhall yow alſo do well, in treaty with the queen, to offer her that where her realm appeareth to be ſubject to ſundry troubles from time to time, and thereby (as it is manifeſt) her ſon cannot be free, if ſhe ſhall be contented that her ſon may enjoy ſuerty and quietneſs, within this our realm, being ſo near as ſhe knows it is; we ſhall not faill to yield her as good ſuerty therein for her child, as can be deviſed for any that might be our child born of our own body, and ſhall be glad to ſhew to her therein the trew effect of nature; and herein ſhe may be by yow remembered how much good may enſue to her ſon to be nouriſhed and acquainted with our country; and therefore all things conſidered, this occaſion for her child, were rather to be ſought by her and the friends of him, than offered by us; and to this end, we mean that yow ſhall ſo deal with her, both to ſtay her indeed from inclining to the French practice, which is to us notorious, to convey her and the prince into France, and alſo to avoid any juſt offence, that ſhe might hereafter conceive, if ſhe ſhould hear that we ſhould deal with the lords for the prince.

Sir Nicolas Throkmorton to queen Elizabeth, 14th July 1567, from Edinburgh.

An Original. Paper Office.

IT may pleaſe your majeſty to be advertiſed, I did ſignifie unto Mr. Secretary by my letters of the 11th and 12th of July, the day of mine entry into Scotland, the cauſes of my ſtay, my lodging at Faſtcaſtle, a place of the lord Hume's, where I was met by the ſaid lord and by the lord Lidingdon, and what had paſſed in conference betwixt us, whileſt I was at the ſaid Faſtcaſtle. Since which time, accompanyed with the lords aforeſaid, and with 400 horſes by their appointment for my better con-

duct, I came to Edin^r the 12th of this preſent. The 13th being Sunday appointed for a ſolemne communion in this town, and alſo a ſolemne faſt being publiſhed, I could not have conference with the lords which he aſſembled within this town as I deſired, that is to ſay the earls of Athole, and Morton, the lord Hume, the lord of Lidington, Sir James Balfour captain of the caſtle, Mr. James M^cGill, and the preſident of the ſeſſion.

Nevertheless I made means by the lord of Lidington that they would uſe no protracte of time in mine audience, ſo did I likewiſe to the earle of Morton, whom I met by chance; I was anſwered by them both, that albeit the day were deſtined to ſacred exerciſes, ſuch as were there of the council would conſult upon any moyen touching my acceſs unto them and my conference with them, and ſaid alſo, that in the afternoon either they would come to me, or I ſhould hear from them. About 4 of the clock in the afternoon, the ſaid 13th day, the lord of Lidington came to my lodgings, and declared unto me on the behalf of the lords and others, that they required me to have patience, though they had defferred my conference with them, which was grounded principally upon the abſence of the earles of Mar and Glencairn, the lords Semple, Crighton, and others of the council, ſaying alſo that they did conſider the matters which I was on your behalf to treate with them of, were of great importance, as they could not ſatisfy nor conveniently treate with me, nor give me anſwer without the advice of the lords, and others their aſſociates; the lord of Lidington alſo ſaid unto me, that where he perceived, by his private conference with me in my journey hitherwards, that I preſſed greatly to have ſpeedy acceſs to the queen their ſovereign, he perceived, by the lords and others which were here, that in that matter there was great difficulty for many reſpects, but ſpecially becauſe they had refuſed to the French ambaſſador the like acceſs, which being granted unto me, might greatly offend the French, a matter which they deſired and intended to eſchew; for they did not find by your majeſty's dealings with them hitherto, that it behoved them to irritate the French king, and to loſe his favour and good intelligence with him: I anſwered, that as to their refuſal made unto the French ambaſſador, monſieur de Ville Roye was diſpatched forth of France before theſe accidents here happened, and his ſpecial errand was to impeach the

the queen's marriage with the earle of Bothel (for ſo indeed ſince my coming hither I learned his commiſſion tended to that end, and to make offer to the queen of another marriage), and as to monſieur de Crocq, he could have no order forth of France concerning theſe matters, ſince they happened; and therefore they might very well hold them ſuſpected to have conference with the queen, leaſt they might treate of matters in this time without inſtructions, and ſo rather do harm then good; but your majeſty being advertized of all things which had chanced, had ſent me hither to treat with them, for the well of the realm, for the conſervation of their honors and credit, and for their ſurety; and I might boldly ſay unto him, that your majeſty had better deſerved than the French had. He ſaid, for his own part, he was much bound unto your majeſty, and had always found great favour and courteſy in England, but to be plain with you, Sir, ſayed he, there is not many of this aſſembly that have found ſo great obligation at the queen your ſovereigns hands, as at the French kings, for the earles of Morton and Glencairn be the only perſons which took benefit by the queen's majeſty's aid at Leith, the reſt of the noblemen were not in the action; and we think, ſaid he, the queens majeſty your ſovereign, by the opinion of her own council, and all the world, took as great benefit by that charge as the realm of Scotland, or any particular perſon; and not to talk with yow as an ambaſſador, but with Sir Nicolas Throkmorton, my lord Morton, and ſuch as were in pain for the death of Davie, found but cold favour of the queens majeſtys hands, when they were baniſhed forth of their own country; but I would all our whole company were as well willing to accompliſh the queen your ſovereign intents and deſires as I am; for mine own part, I am but one, and that of the meaneſt ſort, and they be many noblemen and ſuch as have great intereſt in the matter, mary yow ſhall be aſſured I will imploy myſelf to imploy my credit, and all that I may do, to ſatisfie the queen your miſtreſs, as much as lyeth in me, and for your own part you have a great many friends in this aſſembly, with many other good words. But for concluſion I muſt take this for an anſwer to ſtay untill the other lords were come, and thereupon I thought meet to advertize your majeſty what hath paſſed, and how far forth I have proceeded; your expectation being great to hear from hence.

And now to advertize your majeſty of the ſtate of all things, as I have learned ſince my coming hither, it may pleaſe your majeſty to underſtand as followeth.

The queen of Scotland remaineth in good health in the caſtle of Lochleven, guarded by the lord Linſay and Lochleven the owner of the houſe; for the lord Ruthven is imployed in another commiſſion, becauſe he began to ſhow great favour to the queen, and to give her intelligence. She is waited on with 5 or 6 ladys, 4 or 5 gentlewomen, and 2 chamberers, whereof one is a French woman. The earle of Buchan, the earl of Murray's brother, hath alſo liberty to come to her at his pleaſure; the lords aforeſaid, which have her in guard, doe keep her very ſtraitly, and as far as I can perceive, their rigour proceedeth by their order from theſe men, becauſe that the queen will not by any means be induced to lend her authority to proſecute the murder, nor will not conſent by any perſwaſion to abandon the lord Bothell for her huſband, but avoweth conſtantly that ſhe will live and die with him; and ſaith that if it were put to her choice to relinquiſh her crown and kingdom, or the lord Bothell, ſhe would leave her kingdom and dignity, to go as a ſimple damſell with him, and that ſhe will never conſent that he ſhall fare worſe or have more harm than herſelf.

And as far as I can perceive, the principal cauſe of her detention is, for that theſe lords do ſee the queen being of ſo fervent affection towards the earle Bothell as ſhe is, and being put at, as they ſhould be compelled to be in continuall arms, and to have occaſion of many battles, he being with manifeſt evidence notoriouſly detected to be the principall murderer, and the lords meaning proſecution of juſtice againſt him according to his merits.

The lords mean alſo a divorce betwixt the queen and him, as a marriage not to be ſuffered for many reſpects, which ſeparation cannot take place if the queen be at liberty, and have power in her hands.

They do not alſo forget their own perill, conjoin'd with the danger of the prince, but as far as I can perceave, they intend not either to touch the queen in ſuerty or in honor, for they do ſpeak of her with reſpect and reverence, and do affirm, as I do learn, that the conditions aforeſaid accompliſhed, they will both put her to liberty, and reſtore her to her eſtate.

These

THESE lords have for the guard of their town 450 Harqubuſhers which be in every good order, for the entertainment of which companys, until all matters be compounded, they did ſue unto your majeſty, to aid them with ſuch ſum of money as hath been mentioned to Mr. Secretary by the lord of Lydington's writing, amounting as I perceive to ten or twelve thouſand crowns of the

THEY were lately advertized that the French King doth mind to ſend hither monſieur de la Chapell des Urſine, a knight of the French order, and always well affectionate to the houſe of Guyſe, and howſoever la Foreſt, Villaroy, and du Crocq have uſed language in the queens favour and to theſe lords diſadvantage there, to your majeſty; la Crocq doth carry with him ſuch matter as ſhall be little to the queen's advantage; ſo as it is thought the French King, upon his coming to his preſence, will rather ſatisfie the lords, than pleaſure the queen; for they have their party ſo well made, as the French will rather make their profit by them, than any other way.

HEREWITH I ſend your majeſty the laſt bond agreed on, and ſigned by the Hamiltons, the earl of Argyll, Huntly, and ſundry others at Dumbarton.

NEVERTHELESS, ſince my coming to this town, the Hamiltons have ſent unto me a gentleman of their ſurname named Robert Hamilton, with a letter from the biſhop of St. Andrews and the abbot of Arbroth, the copy whareof I ſend your majeſty and mine anſwer unto them, referring to the bearer the declaration of ſome things, as theſe did by him unto me.

THE earle of Argyll hath, in like manner, ſent another unto me with a letter and credit, I have uſed him as I did the others, the copy of both which letters I ſend your majeſty alſo. The lord Harrys hath alſo ſent unto me but not written, and I have returned unto him in like ſort.

AGAINST the 20th day of this month there is a generall aſſembly of all the churches, ſhires, and boroughs towns of this realm, namely of ſuch as be contented to repair to theſe lords to this town, where it is thought the whole ſtate of this matter will be handeled, and I fear me much to the queen's diſadvantage and danger; unleſs the lord of Lidington and ſome others which be beſt affected unto her do provide ſome remedy; for I perceave the great number, and in manner all, but chiefly the common people, which

which have assisted in these doings, do greatly dishonour the queen, and mind seriously either her deprivation, or her destruction; I used the best means I can (considering the furie of the world here) to prorogue this assembly, for that appeareth to me to be the best remedy: I may not speak of dissolution of it, for that may not be abiden, and I should thereby bring myself into great hatred and peril. The chiefest of the lords which be here present at this time dare not show so much lenity to the queen as I think they could be contented, for fear of the rage of the people. The women be most furious and impudent against the queen, and yet the men be mad enough; so as a stranger over busie may soon be made a sacrifice amongst them.

THERE was a great bruit that the Hamiltons with their adherents would put their force into the fields against the 24th of this month, but I do not find that intent so true, as the common bruit goeth.

THE earle of Argyll is in the Highlands, where there is trouble among his own countrymen.

THE earle of Lennox is by these lords much desired here, and I do believe your majesty may so use him, and direct him, as he shall be able to promote your purpose with these men.

THE earle of Argyll, the Hamiltons and he be incompatible.——I do find amongst the Hamiltons, Argyll and the company two strange and sundry humours.

HAMILTONS do make show of the liberty of the queen, and prosecute that with great earnestness, because they would have these lords destroy her, rather than she should be recovered from them by violence; another time they seem to desire her liberty, and Bothwell's destruction, because they would compass a marriage betwixt the queen and the lord of Arbroth.

THE earle of Argyll doth affect her liberty, and Bothwell's destruction, because he would marry the queen to his brother.

AND yet neither of them, notwithstanding their open concurance (as appeareth by their bond), doth discover their minds to each other, nor mind one end; Knox is not here, but in the west parts, he and the rest of the ministers will be here at the great assembly, whos austerity against the queen I fear as much as any man's.

BY some conference which I had with some of this councill, me thinketh that they have intelligence that there

is a diſpoſition in the queen of Scotland to leave this realm, and to retire herſelf into either England or into France, but moſt willingly into England, for ſuch —— and miſlikeings as ſhe knoweth hath been, and is meant unto her in France, leaving the regiment either to a number of perſons deleagued, and authorized by her, or to ſome one or more.

And it pleaſe your majeſty, I think it not amiſs to put yow in remembrance, that in caſe the ſaid queen come into England by your allowance, without the French king's conſent, ſhe ſhall looſe her dowery in France, and have little or nothing from hence to entertain her; and in caſe ſhe do go into France with the king's contentment, ſhe may be an inſtrument (if ſhe can recover favour, as time will help to cancell her diſgrace) either by matching with ſome huſband of good quality, or by ſome other deviſe, to work new unquietneſs to her own contry, and ſo conſequently to your majeſty's.

Therefore it may pleaſe your majeſty to conſider of this matter, and to let me know your pleaſure with convenient ſpeed, how I ſhall anſwer the ſame, if it be propounded unto me, either by the queen, or by the councill, as a piece of the end and compoſition. For I am ſure, of late, ſhe hath ſeemed very deſirous to have the matter brought to paſs that ſhe might go into England, retaining her eſtate and juriſdiction in herſelf, though ſhe do not exerciſe it; and likewiſe I underſtand that ſome of this council which be leaſt affected to her ſafety do think there is no other way to ſave her. Thus Almighty God preſerve your majeſty in health, honour, and all felicity; at Edin^r the 14th July 1567.

Sir Nicholas Throkmorton to queen Elizabeth, the 18th of July 1567, from Edinburgh.

An Original. Paper Office.

It may pleaſe your majeſty, yow might perceave by my letters of the 16th, how far I had proceeded with theſe lords, and what was their anſwer; ſince which time I have ſpoken particularly with the earle Morton, the lord of Lidington, and Sir James Balfour captain of this caſtle, at whoſe hands I cannot perceave that as yet acceſs to the queen to Lochleven will be granted me, ſtaying themſelves ſtill by the abſence of the lords and others their aſſociates, which (they ſay) they look for within two days; and for

that I find, by likelihood and apparent presumptions, that mine access to the queen will hardly be granted; I have thought good not to defer this dispatch untill I have a resolute answer in that matter.

MAY it therefore please your majesty, to understand Robert Melvin returned from the queen in Lochlevin, to this town the 6th of July, and brought a letter from her written of her own hand to these lords, which doth contain as I understand matter as followeth—A request unto them to have consideration of her health, and if they will not put her to liberty, to change the place of restraint to the castle of Stirling, to the end she might have the comfort and company of her son, and if they will not change her from Lochleven, she required to have some other gentlewomen about her, naming none.

To have her Apothecary, to have some modest minister. ——To have an imbroiderer to draw forth such work as she would be occupied about, and to have a varlet of the chamber.——Touching the government of the realm she maketh two offers, which are but generally touched in her letter, the particularitys be not specified, but referred to Robert Melvin's credit, the one is to commit it only and wholly to the earle of Murray, the other is to the lords whose names ensue, assisted with such others as they shall call unto them, that is to say, the duke of Chattelrault, the earls of Morton, Murray, Marr, and Glencairn.

SHE hath written unto them that I might have access unto her.——She requireth further, that if they will not treat her and regard her as their queen, yet to use her as the king their sovereign's daughter (whom many of them knew) and as their prince's mother.—She will by no means yield to abandon Bothell for her husband, nor relinquish him; which matter will do her most harm of all, and hardeneth these lords to great severity against her.

SHE yieldeth in words to the prosecution of the murder.

I HAVE the means to let her know that your majesty hath sent me hither for her relief.

I HAVE also persuaded her to conform herself to renounce Bothell for her husband, and to be contented to suffer a divorce to pass betwixt them; she hath sent me word that she will in no ways consent unto that, but rather die; grounding herself upon this reason taking herself to be seven weeks gone with child; by renouncing

Bothell, ſhe ſhould acknowledge herſelf to be with child of a baſtard, and to have forfeited her honour, which ſhe will not do to die for it; I have perſwaded her to ſave her own life and her child, to chooſe the leaſt hard condition.

Mr. Knox arrived here in this town the 6th of this month, with whom I have had ſome conference, and with Mr. Craig alſo, the other miniſter of this town.

I have perſwaded with them to preach and perſwad lenity, I find them both very auſtere in this conference, what they ſhall do hereafter I know not, they are furniſhed with many arguments, ſome forth of the ſcripture, ſome forth of hiſtories, ſome grounded (as they ſay) upon the laws of this realm, ſome upon practices uſed in this realm, and ſome upon the conditions and oath made by their prince at her coronation.

The biſhop of Galloway, uncle to the earle of Huntley, hath ſent hither to theſe lords, that his nephew the earle and ſome others of that ſide may, at Linlithgow or at Stirling, have ſome communication with ſome appointed on this ſide, aſſuring them that there is a good diſpoſition in the lords of the other party to concurre with theſe, aſſuring further that they will not diſſent for triffles or unneceſſary things, and (as I am given to underſtand) they can be pleaſed the queen's reſtraint be continued, untill the murder be purſued in all perſons, whereby the ſeparation of the queen and Bothell is implyed, the preſervation of the prince, the ſecurity for all men, and a good order taken for the governance of the realm in tranquillity.

Captain Clerk, which hath ſo long ſerved in Denmark and ſerved at Newhaven, did the 16th of this month (accompanyed with one of his ſoldiers, or rather the ſoldier as the greater fame goeth) kill one Wilſon a ſeaman, and ſuch a one as had great eſtimation with theſe lords both for his ſkill, his hardyneſs, honeſty, and willingneſs in this action; whereupon Clerk hath retired himſelf; their quarrel was about the ſhip which took Blacketer, which ſhip was appointed by theſe lords to go to the north of Scotland to impeach the paſſage of the earle Bothell, in caſe he went either to the iſles, or to any other place; by the death of this man this enterprize was daſhed.

The biſhop of Galloway is come to Linlithgow, and doth deſire to ſpeak with the lord of Lidington.

The

THE abbot of Kilwinning hath ſent for Sir James Balfour, captain of the caſtle, to have conference with him.

As I wrote unto your majeſty in my laſt, the Hamiltons now find no matter to diſever theſe lords and them aſunder, but would concur in all things (yea in any extremity againſt the queen) ſo as that they might be aſſured the prince of Scotland were crouned king, and ſhould die without iſſue, that the earle of Lenox's ſon living ſhould not inherit the croun of this realm, as next heir to his nephew.

AND although the lords and councelors ſpeak reverently, mildly, and charitably of their queen, ſo as I cannot gather by their ſpeech any intention to cruelty or violence, yet I do find by intelligence, that the queen is in very great peril of her life, by reaſon that the people aſſembled at this convention do mind vehemently the deſtruction of her.

IT is a public ſpeech amongſt all the people, and amongſt all eſtates, (ſaving of the counſellors) that their queen hath no more liberty nor priviledge to commit murder nor adultery, than any other private perſon, neither by God's laws, nor by the laws of the realm.

THE earl of Bothwell, and all his adherents and aſſociates, be put to the horn by the ordinary juſtice of this town, named the lords of the ſeſſion; and commandment given to all ſhirriffs, and all other officers, to apprehend him, and all other his followers and receiptors--The earl of Bothell's porter, and one of his other ſervitors of his chamber, being apprehended, have confeſſed ſuch ſundry circumſtances, as it appeareth evidently, that he the ſaid earl was one of the principal executors of the murder, in his own perſon accompanyed with ſundry others, of which number I cannot yet certainly learn the names but of three of them, that is to ſay, two of the Ormiſtons of Tivotdall, and one Hayborn of Bolton; the lords would be glad that none of the murderers ſhould have any favour or receipt in England, and hereof their deſire is, that the officers upon the border may be warned; Bothell doth ſtill remain in the north parts, but the lord Seaton and Fleming, which have been there, have utterly abandoned him, and do repair hitherwards.—The intelligence doth grow daily betwixt theſe lords, and thoſe which held of; and notwithſtanding theſe lords have ſent an hundred and fifty harqubuſhers to Stirling, to keep the town and paſ-

ſage from ſurprize; and ſo have they done in like manner to St. Johnſton, which be the two paſſages from the north, and weſt to this town, I do underſtand the captain of Dunbar is much buſied in fortifying that place, I do mervile the carriages be not impeached otherwiſe than they be.

Of late this queen hath written a letter to the captain of the ſaid caſtle, which hath been ſurprized; and thereby matter is diſcovered which maketh little to the queen's advantage.

Thus, having none other matter worthy your majeſty's knowledge, I beſeech God to proſper your majeſty with long life, perfect health, and proſperous felicity. At Edinburgh the 12th of July 1567.

Letter of Sir Nicholas Throkmorton to the right honourable the earl of Leiceſter, knt. of the order, and one of the lords of her majeſty's moſt honourable Privy Council.

24th of July 1567 Paper Office, from the Original.

BY my former diſpatches ſent to her majeſty, and Mr. Secretary, ſince the 12th of July, your lordſhip might have perceived the ſtate of this country, and to what end theſe matters be like to come: ſo as not to trouble your lordſhip with many words; this queen is like very ſhortly to be deprived of her royal eſtate, her ſon to be crowned king, and ſhe detained in priſon within this realm, and the ſame to be governed, in the young king's name, by a councel, conſiſting of certain of the nobility, and other wiſe men of this realm; ſo as it is eaſy to be ſeen that the power and ability to do any thing to the commodity of the queen's majeſty, and the realm of England, will chiefly, and in manner wholly, reſt in the hands of theſe lords, and others their aſſociates, aſſembled at Edinburgh. Now if the queen's majeſty will ſtill perſiſt in her former opinion towards the queen of Scotland, (unto whom ſhe ſhall be able to do no good) then I do plainly ſee that theſe lords and all their accomplices will become as good French, as the French king can wiſh, to all intents and purpoſes. And as for the Hamiltons, the earls of Arguile, Huntlye, and that faction, they be already ſo far inchanted that way, as there needeth little deviſe to draw them to the French devotion. Then this is the ſtate of things ſo come to paſs of this country, that

France

France has Scotland now as much conjoined unto them, to all purpoſes, as ever it was; and what an inſtrument, the young prince will prove, to unquiet England, I report me to your lordſhips wiſdoms, and therefore conſidering the weight of the matter, and all the circumſtances, I truſt your lordſhips will well bethink you in time, (for 'tis high time) how to adviſe her majeſty, to leave nothing undone that may bring the prince of Scotland to be in her poſſeſſion, or, at the leaſt, to be at her devotion. And amongſt other things, that I can imagine, for the firſt degree nothing is more meet to bring this to effect, than to allure this company here aſſembled, to bear her majeſty their favour. Some talk hath paſſed between the lord of Liddington and me, in certain conferences, about this matter. By him I find, that when her majeſty ſhall have won theſe men to her devotion, the principal point that will make them conformable to deliver their prince into England, will reſt upon the queen, and the realms enabling him to the ſucceſſion of the crown of England, for fault of iſſue of the queen's majeſty's body, ſome other things will alſo be required, as the charge of the ſaid prince and his train to be at the charge of England. I do well perceive that theſe men will never be brought to deliver their prince into England, without the former condition, for the ſucceſſion of England; for (ſaith Liddington) that taking place, the prince ſhall be as dear to the people of England as to the people of Scotland; and the one will be as careful of his preſervation as the other. Otherwiſe, he ſaith, all things conſidered, it will be reported that the Scottiſhmen have put their prince to be kept in ſafety, as thoſe which commit the ſheep to be kept by the wolves. So as for concluſion, your lordſhips may perceive here will be the ſcope of this matter. As unto the delivering of him upon hoſtages, he ſayeth, let no man think, that the condition of the ſucceſſion not being accompliſhed, the nobility and the gentry will never conſent to leave themſelves deſtitute of their ſovereign, upon any hoſtages, neither upon any promiſes, nor likelihood of good to iſſue in time to come. It were not good for yourſelves (ſaith he) that the matter were ſo handled; for then you ſhould adventure all your goods in one ſhip, which might have a dangerous effect, conſidering the unwillingneſs of the queen your ſovereign to conſent to eſtabliſhing any ſucceſſor to the crown. And then, how unmete were it, that

her majeſty having in her poſſeſſion already all ſuch perſons as do pretend to it, or be inheritable to the crown, to have our prince alſo in her cuſtody. For ſo there might follow, without good capitulations, a ſtrange and dangerous iſſue, tho' the queen your miſtreſs do think that ſuch imaginations could not proceed but from buſy heads, as you have uttered unto us on her behalf. What is come to paſs ſince my laſt diſpatch, and how far forth things are proceeded, I refer your lordſhip to be informed by my letters ſent unto her majeſty, at this time. And ſo I pray Almighty God, preſerve your lordſhip in much honour and felicity. At Edinburgh this 24th of July 1567.

It may pleaſe your good lordſhip to make my lord Stuard partner of this letter.

The Queen to Sir Nicholas Throkmorton.

By the Queen.

6th Aug. 1567. TRUSTY and right well beloved, we greet you well, for as much as we do conſider that you have now a long time remained in thoſe parts, without expedition in the charge committed unto you, we think it not meet ſeeing there hath not followed the good acceptation and fruit of our well meaning towards that ſtate, which good reaſon would have required, that you ſhould continue there any longer, our pleaſure, therefore, is, that you ſhall, immediately upon the receipt hereof, ſend your ſervant Middlemore unto the lords and eſtates of that realm, that are aſſembled together, willing him to declare unto them, that it cannot but ſeem very ſtrange unto us, that you having been ſent from us, of ſuch good intent, to deal with them, in matters tending ſo much to their own quiet, and to the benefit of the whole eſtate of their country, they have ſo far forgotten themſelves, and ſo ſlightly regarded us and our good meaning, not only in delaying to hear you, and deferring your acceſs to the queen their ſovereign, but alſo, which is ſtrangeſt of all, in not vouchſafing to make any anſwer unto us. And altho' theſe dealings be ſuch, indeed, as were not to be looked for at their hands, yet do we find their uſage and proceeding

ceeding toward their Soveraign and queen, to overpaſs all the reſt in ſo ſtrange a degree, as we for our part, and we ſuppoſe the whole world beſides, cannot but think them to have therein gone ſo far beyond the duty of ſubjects, as muſt needs remain to their perpetual tauche for ever. And therefore ye ſhall ſay, that we have tho't good, without conſuming any longer time in vain, to revoke you to our preſence, requiring them to grant you licence and paſport ſo to do, which when you ſhall have obtained, we will that you make your repair hither, unto us, with as convenient ſpeed as you may. Given, &c.

Indorſed 6th Auguſt, 1567.

Throkmorton to the right honourable Sir William Cecil, knight, one of her majeſty's privy council and principal ſecretary, give theſe.

SIR,

WHAT I have learned, ſince the arrival of my lord of Murray, and Monſ. de Linnerol, you ſhall underſtand by my letter to her majeſty, at this time. The French do, in their negotiations, as they do in their drink, put water to their wine. As I am able to ſee into their doings, they take it not greatly to the heart how the queen ſleep, whether ſhe live or die, whether ſhe be at liberty or in prizon. The mark they ſhoot at, is, to renew their old league; and can be as well contented to take it of this little king, (howſoever his title be) and the ſame by the order of theſe lords, as otherwiſe. Lyneroll came but yeſterday, and methinketh he will not tarry long; you may gueſs how the French will ſeek to diſpleaſe theſe lords, when they changed the coming of La Chapelle des Ourſins for this man, becauſe they doubted that de la Chapelle ſhould not be grateful to them, being a papiſt. Sir, to ſpeak more plainly to you, than I will do otherwiſe, me thinketh the earl of Murray will run the courſe that thoſe men do, and be partaker of their fortune. I hear no man ſpeak more bitterly againſt the tragedy, and the players therein, than he, ſo little like he hath to horrible ſins. I hear an inkling that Ledington is to go into France, which I do as much miſlike, as any thing, for our purpoſe. I can aſſure you the whole proteſtants of France will live and die in theſe

12th Aug. 1567. Paper Office, from the Original.

theſe men's quarrels; and, where there is bruit amongſt you, that aid ſhould be ſent to the adverſe party, and that Martigues ſhould come hither with ſome force; Monſ. Baudelot hath aſſured me of his honour, that inſtead of Martigues coming againſt them, he will come with as good a force to ſuccour them: and if that be ſent under meaner conduct, Robert Stuart ſhall come with as many to fortify them. But the conſtable hath aſſured theſe lords, that the king meaneth no way to offend them. Sir, I pray you find my revocation convenient, and ſpeed you to further it, for I am here now to no purpoſe, unleſs it be to kindle theſe lords more againſt us. Thus I do humbly take my leave of you, from Edenburgh the 12th of Auguſt, 1567.

Yours to uſe and command.

The Queen to Nicholas Throkmorton.

TRUSTY and well-beloved we greet you well. We have, within theſe two days, received three ſundry letters of yours, of the 20th, 22d, and 23d, of this month, having not before thoſe received any ſeven days before; and do find, by theſe your letters, that you have very diligently and largely advertiſed us of all the haſty and peremptory proceedings there; which as we nothing like, ſo we truſt in time to ſee them wax colder, and to receive ſome reformation. For we cannot perceive, that they with whom you have dealt can anſwer the doubts moved by the Hamiltons, who howſoever they may be carried for their private reſpects, yet thoſe things which they move, will be allowed by all reaſonable perſons. For if they may not, being noblemen of the realm, be ſuffered to hear the queen their ſovereign declare her mind concerning the reports which are made of her, by ſuch as keep her in captivity, how ſhould they believe the reports, or obey them, which do report it? and therefore our meaning is, you ſhall let the Hamiltons plainly underſtand, that we do well allow of their proceedings, (as far forth as the ſame doth concern the queen their ſovereign for her relief) and in ſuch things as ſhall appear reaſonable for us therein to do, for the queen our ſiſter, we will be ready to perform the ſame. And where it is ſo required, that upon your coming thence, the lord Scroope ſhould

ſhould deal with the lord Herris to impart their meanings to us, and ours to them, we are well pleaſed therewith, and we require you to advertize the lord Scroope hereof by your letters, and to will him to ſhew himſelf favourable to them in their actions, that may appear plainly to tend to the relief of the queen, and maintenance of her authority. And as we willed our ſecretary to write unto you, that upon your meſſage done to the earl of Murray, you might return, ſo our meaning is you ſhall. And if theſe our letters ſhall meet you on the way, yet we will have you advertiſe both the lord Scroope, and the Hamiltons, of our meaning.

Indorſed 29 Aug. 1567.

No. XXIII. (Vol. I. p. 454.)

Sir Nicholas Throckmorton to the archbiſhop of St. Andrew's and the abbot of Arbrothe.

13th Aug. 1567. Paper Office, from a copy which Sir Nicholas ſent to the queen.

AFTER my good commendations to your good lordſhips, this ſhall be to advertize you, that the queen's majeſty my ſovereign having ſent me hither her ambaſſador to the queen her ſiſter your ſovereign, to communicate unto her ſuch matter as ſhe thought meet, conſidering the good amity and intelligence betwixt them, who being detained in captivity (as your lordſhips know) contrary to the duty of all good ſubjects, for the enlargement of whoſe perſon, and the reſtitution of her to her dignity, her majeſty gave me in charge to treat with theſe lords aſſembled at Edenburgh, offering them all reaſonable conditions and means as might be, for the ſafeguard of the young prince, the puniſhment of the late horrible murder, the diſſolution of the marriage betwixt the queen and the earl of Bodwell, and laſtly for their own ſureties. In the negociation of which matters I have (as your lordſhips well know) ſpent a long time to no purpoſe, not being able to prevail in any thing with thoſe lords, to the queen my ſovereign's ſatisfaction. Of which ſtrange proceedings towards her majeſty, and undutiful behaviour towards their ſovereign, I have advertiſed the queen's majeſty; ſhe (not being minded to bear this indignity) hath given me in charge to declare her further pleaſure unto them, in ſuch ſort as they may well perceive her majeſty doth diſallow

low of their proceedings, and thereupon hath revoked me. And further hath given me in charge to communicate the ſame unto your lordſhips, requiring you to let me know, before my departure hence, (which ſhall be, God willing, as ſoon as I have received anſwer from you) what you and your confederates will aſſuredly do, to ſet the queen your ſovereign at liberty, and to reſtore her to her former dignity by force or otherwiſe; ſeeing theſe lords have refuſed all other mediation, to the end the queen's majeſty my ſovereign may concur with your lordſhips in this honourable enterprize.

And in caſe, through the diſperſion of your aſſociates, your lordſhips can neither communicate this matter amongſt you, nor receive reſolution of them all by that time, it may pleaſe you to ſend me the opinions of ſo many of you as may confer together, within two or three days, ſo as I may have your anſwer here in this town by Monday or Tueſday next at the fartheſt, being the 19th of this Auguſt; for I intend (God willing) to depart towards England, upon Wedneſday following. Thus I moſt humbly take my leave of your lordſhips at Edenburgh, the 13th of Aug. 1567.

Indorſed the 13th of Aug. 1567.

Sir Nicholas Trockmorton to the lord Herrys.

24th Aug. 1567. Paper Office, from a copy which Sir Nicholas ſent to ſecretary Cecil.

YOUR good lordſhip's letter of the 13th of Auguſt I have received the 19th of the ſame. For anſwer whereunto it may like your lordſhip to underſtand, that I will ſignify unto you plainly, how far forth I am already thoroughly inſtructed of the queen's majeſty my ſovereign's pleaſure concerning the detention of the queen your ſovereign, and concerning her relief.

To the firſt her majeſty hath given in charge, to uſe all kinds of perſuaſion in her name, to move theſe lords aſſembled at Edenburgh to deſiſt from this violent and undutiful behaviour, which they uſed toward their ſovereign. And in this part, beſides the ſhew of many reaſons, and ſundry perſuaſions of amicable treaty with them, her majeſty hath willed me to uſe ſome plain and ſevere ſpeech unto them, tending ſo far forth, as if they would not be better adviſed, and reform theſe their outrageous proceedings exerciſed againſt their ſovereign, that then they might be

be assured her majesty neither would nor could indure such an indignity to be done to the queen, her good cousin and neighbour.

And notwithstanding these my proceedings with them, they have made proof to be little moved thereby, for as yet neither will they consent to the enlargement, neither suffer me to speak with her. So as it seemeth to me, it is superfluous to treat any more with them after this manner. Whereupon I have advertised the queen's majesty my sovereign, expecting daily her majesty's further order; and as I shall be advertised thereof, so will not fail to signify the same to your good lordship; and in the mean time will advertise her majesty also, what your lordship hath written unto me. Thus with my due commendations to your good lordship, I commit the same to almighty God, resting always to do you the pleasure and service that I can lawfully. At Edenburgh.

Indorsed 24th of August, 1567.

No. XXIV. (Vol. I. p. 465.)

Account of lord Herreis's Behaviour in the Parliament held December 15, 1567.

THE lord Herrys made a notable harangue, in the name of the duke and himself their friends and adherents, (the duke himself, the earl of Cassilles, and the abbot of Kilwinning being also present) to persuade the union of the whole realm in one mind. Wherein he did not spare to set forth solemnly the great praise that part of this nobility did deserve, which in the beginning took meanes for punishment of the earl Bothwell, as also seeing the queen's inordinat affection to that wicked man, and that she could not be induced by their persuasion to leave him, that in sequestring her person within Lochlevin. they did the duty of noblemen. That their honourable doings, which had not spared to hazard their lives and lands, to avenge their native country from the slanderous reports that were spoken of it among other nations, had well deserved that all their brethren should join with them in so good a cause. That he and they, in whose names he did speak, would willingly, and without any compulsion, enter themselves in the same yoke, and put their Paper Office.

lives and lands in the like hazard, for maintenance of our cauſe. And if the queen herſelf were in Scotland, accompanied with 20,000 men, they will be of the ſame mind, and fight in our quarrel. He hoped the remainder noblemen of their party, Huntly, Arguile, and others, which had not as yet acknowledged the king, would come to the ſame conformity, whereunto he would alſo earneſtly move them. And if they will remain obſtinate, and refuſe to qualify themſelves, then will the duke, he, and their friends, join with us to correct them, that otherwiſe will not reform themſelves. So plauſible an oration, and more advantageous for our party, none of ourſelves could have made. He did not forget to term my lord regent, by the name of regent, (there was no mention at all of the Earl of Murray) and to call him grace at every word, when his ſpeeches were directed to him, accompanying all his words with low courteſies after this manner.

No. XXV. (Vol. I. p. 488.)

Queen Mary to Queen Elizabeth.

MADAM,

Cott. Lib. Cal. 1. A Copy, and probably a Tranſlation.

ALthough the neceſſity of my cauſe (which maketh me to be importune to you) do make you to judge that I am out of the way; yet ſuch as have not my paſſion, nor the reſpects whereof you are perſuaded, will think that I do as my cauſe doth require. Madam, I have not accuſed you, neither in words, nor in thought, to have uſed yourſelf evil towards me. And I believe, that you have no want of good underſtanding, to keep you from perſwaſion againſt your natural good inclination. But in the mean time I can't chuſe (having my ſenſes) but perceive very evil furtherance in my matters, ſince my coming hither. I thought that I had ſufficiently diſcourſed unto you the diſcommodities, which this delay bringeth unto me. And eſpecially that they think in this next month of Auguſt, to hold a parliament againſt me and all my ſervants. And in the mean time, I am ſtayed here, and yet will you, that I ſhould put myſelf forther into your country, (without ſeeing you) and remove me further from mine; and there do me this diſhonour at the requeſt of my rebels, as to ſend commiſſioners to hear them againſt me,

as

as you wold do to a mere ſubject, and not hear me by mouth. Now, madam, I have promiſed you to come to you, and having there made my moan and complaint of theſe rebels, and they coming thither, not as poſſeſſors, but as ſubjects, to anſwer. I would have beſought you to hear my juſtification of that which they have falſly ſet furth againſt me, and if I could not purge myſelf thereof, you might then diſcharge your hands of my cauſes, and let me go for ſuch as I am. But to do as you ſay, if I were culpable I would be better adviſed; but being not ſo, I can't accept this diſhonour at their hands, that being in poſſeſſion they will come and accuſe me before your commiſſioners, whereof I can't like: And ſeeing you think it to be againſt your honour and conſignage to do otherwiſe, I beſeech you that you will not be mine enemy, untill you may ſee how I can diſcharge myſelf every way, and to ſuffer me go into France, where I have a dowry to maintain me; or at leaſt to go into Scotland, with aſſurance that if there come any ſtrangers thither, I will bind myſelf for their return without any prejudice to you, or if it pleis you not to do thus, I proteſt that I will not impute it to falſhood, If I receive ſtrangers in my country, without making you any other diſcharge for it. Do with my body as you will, the honour or blame ſhall be yours. For I had rather die here, and that my faithful ſervants may be ſuccoured (tho' you would not ſo) by ſtrangers, than to ſuffer them to be utterly undone, upon hope to receive, in time to come, particular commodity. There be many things to move me to fear that I ſhall have to do, in this country, with others than with you. But foraſmuch as nothing hath followed upon my laſt moan, I hold my peace, happen what may hap. I have as leef to abide / endure my fortune, as to ſeek it, and not find it. Further, it pleaſed you to give licenſe to my ſubjects to go and come. This has been refuſed by my lord Scroop and Mr. Knolls (as they ſay) by your commandment, becauſe I would not depart hence to your charge, untill I had anſwer of this letter, tho' I ſhewed them that you required my anſwer, upon the two points, contained in your letter.

THE one is to let you briefly underſtand, I am come to you to make my moan to you, the which being heard, I would declare unto you mine innocency, and then require your

your aid, and for lack thereof, I can't but make my moan and complaint to God, that I am not heard in my juſt quarrel, and to appeal to other princes to have reſpect thereunto, as my caſe requireth; and to you, madam, firſt of all, when you ſhall have examined your conſcience before him, and have him for witneſs.——And the other, which is to come further into your country, and not to come to your preſence, I will eſteem that as no favour, but will take it for the contrary, obeying it as a thing forced. In mean time, I beſeech you, to return to me my Lord Herries, for I can't be without him, having none of my counſal here, and alſo to ſuffer me, if it pleaſe you, without further delay, to depart hence whitherſoever it be out of this country. I am ſure you will not deny me this ſimple requeſt for your honour's ſake, ſeeing it doth not pleaſe you to uſe your natural goodneſs towards me otherwiſe, and ſeeing that of mine own accord, I am come hither, let me depart again, with yours. And if God permit my cauſes to ſucceed well, I ſhall be bound to you for it; and happening otherwiſe, yet I can't blame you. As for my Lord Fleeming, ſeeing that upon my credit you have ſuffered him to go home to his houſe, I warrant you he ſhall paſs no further, but ſhall return when it ſhall pleaſe you. In that you truſt me, I will not
Perhaps *ſer.* (to die for it) deceive you. But *from* Dumbarton I anſwer not, when my L. Fleeming ſhall be in the Tower. For they which are within it, will not forbear to receive ſuccour, If I don't aſſure them of yours; no, tho' you would charge me withal, for I have left them in charge, to have more reſpect to my ſervants and to my eſtate, than to my life. Good ſiſter, be of another mind, win the heart, and all ſhall be yours, and at your commandment. I thought to ſatisfy you wholly, if I might have ſeen you. Alas! do not as the ſerpent, that ſtoppeth his hearing, for I am no enchanter, but your ſiſter, and natural couſin. If Cæſar had not diſdained to hear or read the complaint of an advertiſer, he had not ſo died; why ſhould princes ears be ſtopped ſeeing that they are painted ſo long; Meaning that they ſhould hear all and be well adviſed, before they anſwer. I am not of the nature of the baſiliſk, and leſs of the chamelion, to turn you to my likeneſs, and tho' I ſhould be ſo dangerous and curs'd as men ſay, you are ſufficiently arm'd with conſtancy and with juſtice, which I require of God, who give you grace to uſe it well with

with long and happy life. From Carliſle, the 5th of July, 15[illegible]8.

No. XXVI. (Vol. I. p. 489.)

Part of a letter from Sir Francis Knollys to Cecil, 8th Aug. 1568, from Bolton.

—BUT ſurely this queen doth ſeem, outwardly, not only to favour the form, but alſo the chief article of the religion of the goſpel, namely juſtification by faith only: and ſhe heareth the faults of papiſtry revealed, by preaching or otherwiſe, with contented ears, and with gentle and weak replys, and ſhe doth not ſeem to like the worſe of religion throw me. An Original. Paper Office.

Part of a letter from ſir Francis Knollys to Cecil, 21 Sept. 1568, from Bolton.

—IT came to this queen's ears of late that ſhe was bruited to be lately turned to the religion of the goſpell, to the great diſliking of the papiſts hereabouts, which thing ſhe herſelf confeſſed unto me, and yeſterday, openly in the great chamber, when the aſſembly was full, and ſome papiſts preſent, ſhe took occaſion to ſpeak of religion, and then openly ſhe profeſſed herſelf to be of the papiſt religion, and took upon her to patronize the ſame, more earneſtly than ſhe had done a great while afore, altho' her defences and arguments were ſo weak, that the effect of her ſpeech was only to ſhew her zeal; and afterwards to me alone, when I miſliked to ſee her become ſo confidently backward in religion, Why, ſaid ſhe, would you have me to loſe France and Spain, and all my friends in other places, by ſeeming to change my religion, and yet I am not aſſured the queen my good ſiſter will be my aſſured friend, to the ſatisfaction of my honour and expectation.

No. XXVII. (Vol. I. p. 490.)

A letter from my lord Herries to my lord Scroop and ſir F. Knollys, September 3d, 1568.

MY lords, pleaſit your honourable lordſhips, I am informed by James Borthwick, lately come from the queen's majeſty your ſoverane, that is ſchawin to her high- Cott. Lib. Cal. C. An Original in his own hand.

highneſs, I ſhuld have ridden in Crafurdmure, ſen my laſt cuming into this realm, upon the earl of Murray's dependants. And that I ſuld have cauſit, or been of counſall to Scottiſmen to have ridden in England, to ſlay or ſpulzie her majeſty's ſubjects.

My lords, I thought it right needful becauſe your lordſhips is, by your ſoverane, commanded to attend upon the queen's majeſty my miſtreſs, ſo having daily acceſs in thir matters, to declare upon the truth; humbly deſiring that your lordſhips will, for God's cauſe, certificate the queen your ſoverane the ſame.

As God lives, I have neither conſented, nor any wiſe had knowledge of any Scottiſman's riding in England, to do the ſubjects thereof hurt in bodies or goods, ſene the ſiege of Leith; and as I underſtand it ſhall be fund true, that gif ony ſic open hurt be done, it is by the queen my ſovereign's diſobedients, and that I have not ridden nor hurt no Scottiſhman, nor commanded no hurt to be done to them, ſen my coming from the queen's majeſty of England, it is well kend, for that never ane will complain of me.

I HAVE done more good to Crawfurdmure nor ever the earl of Murray has done, and will be loather to do them any harm than he will. Except the queen's majeſty your ſovereign, command ſic falſe reports to be tryit, quhereof this is altogidder an inventit leaſing, her grace ſall be trublit, and tyne the hearts of true men here, quhom of ſic report ſall be made, that baieth would ſerve hir, and may, better than they unworthy liars.

My lords, I underſtand the queen's majeſty your ſovereign is not contented of this bruite, that there ſhould ony Frenchman come in this realm, with the duke of Chattelherault. Truth it is, I am no manner of way the counſall of their cuming, nor has no ſic certainty thereof, as I hear by Borthwick's report from the queen's majeſty your ſovereign. And gif I might as well ſay it, as it is true indeed, her grace's ſelf is all the wyitt, and the counſall that will never let her take order with my maiſtreſs cauſe. For that our ſovereign havand her majeſty's promiſe, be writing, of luff, friendſhip, and aſſiſtance gif need had ſo requirit, enterit that realm, upon the 16 day of May, ſen that time the queen's majeſty has commanded me diverſe times to declare ſhe would accept her cauſe, and do for her, and to put her in peaceable poſſeſſion of this realme,

realme, and when I required of her majeſty, in my maiſtreſs name, that her highneſs would either do for her, (as her ſpecial truſt was ſhe wold) according to her former promiſes, or otherwiſe give her counſal, wold not conſent, (as I ſhow her grace I fand diverſe repugnant) then that ſhe would permit her to paſs in France, or to ſome other prince to ſeek ſupport, or failing hereof, (quhilk was agains all reaſon) that ſhe would permit her to return in her awin countrie, in ſic ſempil manner as ſhe came out of it, and ſaid to her majeſty ane of thir, for her honour, would not be refuſit, ſeeand that ſhe was comed in her realm upon her writings and promiſes of friendſhip. And ſicklike, I ſaid to her highneſs, gif my maiſtreſs had the like promiſe of her nobility and eſtates, as ſhe had of herſelf, I ſhould have reprovit them highly, gif they had not condeſcendit to one of thir three, and ſo I ſay, and ſo I write, that in the warld it ſhall be maiſt reprehendable, gif this promiſe taketh not other good effect, nor yet it does. Notwithſtanding, I get gud anſwer of thir promiſes of friendſhip made to my ſovereign, and to put her grace in this her awin countrie peaceably, we have fund the contrary working by Mr. Middlemore direct it from her highneſs to ſtay the army that cuiſt down our houſes. And alſua, in the proceeding of this late pretendit parliament, promiſed twenty days before the time to myſelf to have cauſed it been diſchargit. And yet contrary to this promiſe, have they made their pretendit manner of forfaulture of 31 men of guid reputation, biſhops, abbottis, and barronis, obedient ſubjects to our ſovereign, only for her cauſe.

They have alſo diſponit, ſen our ſovereign's cauſe was taken upon hand be the queen's majeſty of that realm, an hundred thouſand pound Scots worth of her awin true ſubjects geir, under the color of the law, groundit upon their falſe, treaſonable, ſtowin, authority.

The murders, the oppreſſions, the burnings, the raviſhing of women, the deſtruction of policy, both eccleſiaſtical and temporal, in this mean time, as in my former writings I ſaid it was lamentable to ony chriſtian man to hear of, except God gif grace, the profeſſion of the evangile of Jeſus Chriſt profeſſit be your prince, counſall and realme, be mair myndit, nor the auld inamity that has ſtand betwixt the realms, many of my countrymen

will doubt in this article, and their proceedings puttis my ſelf in Sanct Thomas belief.

Now, my lords, gif the queen's majeſty of that realm, upon quhais promiſe and honour my maiſtreſs came there, as I have ſaid, will leave all the French writings, and French phraſes of writings, quhilks amongis them is over meikle on baith the ſides unfit, and plainly, according to the auld true cuſtom of England and Scotland, quherein be a word promiſt truth was obſerv'd, promiſe, in the name of the eternal God, and upon the high honour of that nobill and princely blude of the kings of England, quhereof ſhe is deſcendit, and preſently wears the diadem, that ſhe will put my maiſtreſs in her awin country, and cauſe her as queen thereof in her authority and ſtrength to be obeyit, and to do the ſame will appoint an certain day within two months at the fartheſt, as we underſtand this to be our weil, ſua will we, or the maiſt part of us all, follow upon it, leaving the Frenchmen, and their evil French phraſes togidder. And therefore, and for the true perpetual friendſhip of that realm, will condition, and for our part, with the grace of Almighty God, keep ſic heads and conditions of agreement, as noble and wiſe men can condeſcend upon, for the weill of this haill iſland. As I have been partlings declaring to the queen your ſovereign, quhilk I ſhew to your lordſhips ſelfis both in religion, in the puniſhment of the earl Bothwile, for the queen's laſt huſband's ſlaughter, and for a mutual band of amity perpetually to remain amangis us.

Doubtless, my lords, without that, we may find ſic time and friendly working, as may gif us occaſion baith to forgette Middlemore and his late pretendit parliament, we will turn the leaf, leaving our ſovereign agains our will to reſt where ſhe is, under the promiſe of friendſhip. As I have baith ſaid, and will ever affirm, made be your ſovereign, quhilk was only cauſe of her graces coming in that realme, and ſeek the help and moyen of French, or Spaniſh, till expulſe this treaſonable and falſe pretendit authority, quhilk means to reign above us.

My lords, I deſire your lordſhips conſider, that it is he, that maiſt deſires the amity betwixt England and Scotland to continue, and of a poor man beſt cauſe has, that writ this.

My brother, the laird of Skirling, ſchaws me, that in your lordſhips communing with him, it appearit to him,

your mind was we ſhold ſuffer the earl of Murray to work, altho' it were agains reaſon to us, and complain thereof to the queen's majeſty, and her highneſs wald ſee it reformit. My lords, her majeſty will be over meikle troublit to reform the wranges we have ſuſtainit already. For I am ſure, gif reaſon and juſtice may have place, our maiſtreſs, and we her ſubjects, have received expreſs wrang, far above two hundred thouſand pounds ſterling, in the time of this unhappy government, ſeeing the reformation of ſa great cauſes, comes, now a days, ſo ſlowlie and the ungodly law of oblivion in ſic matters ſo meikle practis'd, I think, nowther for the queen's honour, nor our weill, your lordſhips would ſua mean, nor that it is good to us to follow it. And that ye will give your ſovereign ſic advertiſement thereof, as your good wiſdoms ſhall find in this cauſe meet. It will be true and frindful working for us, indeed, and nowther French phraſes, nor boaſting, and finding little other effect, that will cauſe us to hold away the Frenchmen. This is plainly written, and I deſire your lordſhip's plain anſwer, for in truth and plainneſs langeſt continues gud friendſhip, quhilk in this matter I pray God may lang continue, and have your lordſhips in his keeping. Off Dumfreis, the 3d day of September 1568.

Your lordſhips at my power
to command leifully

HERRIS.

Queen Mary to Q. Elizabeth.

1568. Cott. lib. Cal. 1. An Original.

MADAME ma bonne ſoeur. J'ay reſceu de vos lettres, d'une meſme dete; l'une, ou vous faites mention de l'excuſe de Monſr. de Murra pour tenir ſon pretendu parlement, qui me ſemble bien froid, pour obtenir plus de tollerance que je m'eſtois perſuadée n'avoir par voſtre promeſſe, quant a n'oſſer donner commiſſion de venir ſans un parlement pour leur peu de nombre de nobleſſe alors, je vous reſpons, qu'ils n'ont que trois on quatre d'avantage, qui euſſent auſſi bien dit leur opinion hors de parlement, qui n'a eſté tenu tant pour cette effect, mais pour faire ce qu'expreſſement nous avions requis eſtre empeſchés, qui eſt la forfalture de mes ſubjects pour m'avoir eſtés fidelles, ce que je m'aſſurois, juſques a heir, avoir eu en promeſſe de vous, par la lettre ecrite a mi lord Scrup

e Maiſtre Knoleis vous induire a ire contre eulx, voire, a les enſayre reſentir; toutefois je vois que je l'ay mal pris, j'en ſuis plus marrie, pour ce que ſur votre lettre qu'il me montrerent, et leur parole, je l'ay ſi divulguement aſſuray que pour vengeance que j'en deſiraſſe, ſi non mettre difference entre leur faux deportemens, et les miens ſinceres. Dans voſtre lettre auſſi datée du 10me d'Aouſt, vous metties ces mots. " I think your adverſe party, up-
" on my ſundry former advices, will hold no parliament
" at all; and if they do, it ſhall be only in form of an
" aſſembly, to accord whom to ſend into this realm, and
" in what ſort; for otherwiſe, if they ſhall proceed in man-
" ner of a parliament, with any act of judgment againſt
" any perſon, I ſhall not, in any wiſe, allow thereof; and
" if they ſhall be ſo overſeen, then you may think the
" ſame to be of no other moment, than the former pro-
" cedures; and by ſuch their raſh manner of proceeding,
" they ſhall moſt prejudice themſelves; and be aſſured to
" find me ready to condemn them, in their doings." Surquoy, j'ay contremandé mes ſerviteurs, les faiſſant retirer, ſouffrant ſelon voſtre commandement d'etre fauſſement nommés traitres, par ceulx, qui le ſont de vray; et encore d'etre provoques par eſcarmons dies, et par prinſes de mes gens et lettres, et au contraire vous etes informée que mes ſubjects ont evahis les voſtres, Madame, qui a fait ce rapport n'eſt pas homme de bien, car laird de Sesford et ſon fils ſont et ont eſtes mes rebelles depuis le commencement; enquirés vous, s'ils n'eſtoient a Donfris aveques eulx, j'avois offri reſpondre de ſa frontiere, ce qui me fut refuſé, ce qui m'en devroit aſſes deſcharger, neanmoins, pour vous faire preuve de ma fidelité, et de leur ſalſité, s'il vous me fayte donner le nom des coulpables, et me fortifier, je commanderay mes ſubjects les pour ſuivre, ou ſi vous voules que ce ſoit les voſtres, les miens leur ayderont; je vous prie m'en mander voſtre volonté, au reſte mes ſubjects fidelles ſeront reſponſables a tout ce que leur ſera mis ſu les contre vous, ni les voſtres, ni les rebelles, deſpuis que me conſeillates les faire retirer. Quant aux François, j'eſcrivis que l'on m'en fit nulle pourſuite, car j'eſperois tant en vous, que je n'en aurois beſoign,—je ne ſçeu ſi le dict aura en mes lettres, mais je vous jure devant Dieu que je ne ſcay choſe du monde de leur venue, que ce que m'en aves manday, ni n'en ai oui de France mot du monde, et ne le puis croire pour ceſt occaſion, et ſi ils ſi ſont,

ſi ſont, c'eſt ſans mon ſceu ni conſentement, Pourquoy je vous ſupplie ne me condamner ſans m'ouire, car je ſuis preſt de tenir tout ce que j'ay offert a Meſter Knoleis, et vous aſſure que voſtre amité, qu'il vous pleſt m'offrir, ſera reſcue avant toutes les choſes du monde, quant France ſervit la pour preſſer leur retour a ceſte condition, que prenies mes affaires en mein, en ſoeur, et bonne ami, comme ma Francé eſt en vous; mais une choſe ſeule me rende confuſe, j'ay tant d'enemis qu'ont votre oreille, la quelle ne pouvant avoir par parolle, toutes mes actions vous ſont deſguiſées, et falſement raportees, par quoi il m'eſt impoſſible de m'aſſurer de vous, pour les manteries qu'on vous a fait, pour deſtruire voſtre bonne volonté de moy; par quoy je deſirerois bien avoir ce bien vous faire entendre ma ſincere et bonne affection, laquelle je ne puis ſi bien deſcrire, que mes enemis a tort ne la decoloré. Ma bonne ſoeur, gagnes moy; envoyés moy querir, n'entrés en jalouſie pour faulx raports de celle que ne deſire que votre bonne grace; je me remettray ſur Meſter Knoleis a qui je me ſuis librement deſcouverte, et apres vous avoir baiſée les mains, je prierai Dieu vous donner en ſanté, longue et heureuſe vie. De Boton, ou je vous promets, je n'eſpere pertir, qu'aveques voſtre bonne grace, quoyque les menteurs mentent. Ce 26 d'Aouſt.

No. XXVIII. (Vol. I. p. 491.)

Queen Elizabeth to the Earl of Murray.

RIGHT truſty and right well beloved couſin, we greet you well. Where we hear ſay, that certain reports are made in ſundry parts of Scotland, that whatſoever ſhould fall out now upon the hearing of the queen of Scotts cauſe, in any proof to convince or to acquit the ſaid queen concerning the horrible murder of her late huſband our couſin, we have determined to reſtore her to her kingdom and government, we do ſo much miſſike hereof, as we cannot indure the ſame to receive any credit: and therefore we have thought good to aſſure you, that the ſame is untruly deviſed by the authors to our diſhonour. For as we have been always certified from our ſaid ſiſter, both by her letters and meſſages, that ſhe is by no means guilty or participant of that murder, which we wiſh to be

Paper Office. From a copy corrected by ſecretary Cecil.

true, ſo ſurely if ſhe ſhould be found juſtly to be guilty thereof as hath been reported of her, whereof we would be very ſorry, then, indeed, it ſhould behove us to conſider otherwiſe of her cauſe than to ſatisfy her deſire in reſtitution of her to the government of that Kingdom. And ſo we would have you and all others think, that ſhould be diſpoſed to conceive honourably of us and our actions.

Indorſed 20 Sept. 1568.

No. XXIX. (Vol. I. p. 498.)

Sir Francis Knollys to Cecil, the 9th of October 1568, from York.

An Original. Paper Office.

—MY lord's grace of Norfolk ſending for me to Bolton, to attend upon him here Thurſday laſt, I made my repair hither accordingly, meaning to ſtay here until Monday next; as touching the matters of the commiſſion, that his grace and the reſt have from her highneſs, his grace hath imparted unto me of all things thereunto appertaining, and what hath hitherto paſſed, and altho' the matters be too weighty for my weak capacity, to preſume to utter any opinion of mine own thereof, yet I ſee that my lord Herris, for his parte laboureth a reconciliation, to be had without the extremity of odious accuſations; my lord of Ledington alſo ſaith to me, that he could wiſh theſe matters to be ended in dulce maner, ſo that it might be done with ſafety; of the reſt you can conceive, by the advertiſements and writings, ſent up by our commiſſioners.

A letter from the biſhop of Roſs to the queen of Scots, from York, October 1568.

Cott. lib. Calig. C. 1. a copy.

PLEIS your majeſty I conferred at length with A. ane great part of a night, who aſſurit me that he had reaſoned with B. this Saturday C. on the field, who determinate to him that it was the D. determinit purpoſe not to end your cauſe at this time, but to hold the ſame in ſuſpence, and did that was in her power, to make the E. purſue extremity, to the effect F. and his adherents might utter all they could to your diſhonour, to the effect to cauſe you come in diſdain with the hail ſubjects

jects of this realm, that ye may be the mair unable to attempt any thing to her diſadvantage. And to this effect is all her intention, and when they have produced all they can againſt you, D. will not appoint the matter inſtantly, but tranſport you up in the country, and retain you there till ſhe think time to ſhew you favour, which is not likely to be haſtily, becauſe of your uncles in France, and the fear ſhe has of yourſelf to be her unfriend. And therefore their counſel is, that ye write an writing to the D. meaning that ye are informit that your ſubjects which has offendit you.—This in effect that your majeſty hearing the eſtate of your affairs as they proceed in York, was informed that her majeſty was informed of you, that you could not gudely remit your ſubjects in ſuch ſort as they might credit you hereafter, which was a great cauſe of the ſtay of this controverſy to be ended. And therefore perſuading her D. effectually not to truſt any who had made ſuch narration. But like as ye had rendered you in her hands, as moſt tender to you of any living, ſo prayit her take na opinion of you, but that ye wauld uſe her counſell in all your affairs, and wald prefer her friendſhip to all others, as well uncles as others, and aſſure her to keep that thing ye wald promiſe to your ſubjects by her advice. And if D. diſcredit you, ye wald be glad to ſatisfy her in that point be removing within her realm in ſecret and quiet manner, where her G. pleaſed, until the time her G. were fully ſatisfied, and all occaſion of diſcredit removed from her. So that in the mean time your realm were holden in quietneſs, and your true ſubjects reſtored and maintained in their own eſtate, and ſic other things tending to this effect. And affirms that they believe that this may be occaſion to cauſe her credit you that ye offer ſo far; and it may come that within two or three months ſhe may become better-minded to your grace, for now ſhe is not well minded, and will not ſhew you any pleaſure for the cauſes foreſaid.

N. B. The title of this paper is in Cecil's hand; the following key is added in another hand,

A. The laird of Lethington.
B. The Duke of Norfolk.
C. Was the day he rode to Cawood.
D. The queen of England.
E. The queen of Scots commiſſioners.
F. The earl of Murray.

No. XXX. (Vol. I. p. 510.)

Deliberation of Secretary Cecil's concerning Scotland, Dec. 21. 1568.

Paper Office. THE beſt way for England, but not the eaſieſt, that the queen of Scots might remain deprived of her crown, and the ſtate continue as it is.

THE ſecond way for England profitable, and not ſo hard. —That the queen of Scotts might be induced, by ſome perſwaſions, to agree that her ſon might continue king, becauſe he is crowned, and herſelf to remain alſo queen; and that the government of the realm might be committed to ſuch perſons as the queen of England ſhould name, ſo as for the nomination of them it might be ordered, that a convenient number of perſons of Scotland ſhould be firſt named to the queen of England, indifferently for the queen of Scots, and for her ſon, that is to ſay the one half by the queen of Scots, and the other by the earle of Lennox and lady Lennox, parents to the child; and out of thoſe, the queen's majeſty of England to make choice for all the officers of the realm, that are, by the laws of Scotland, diſpoſable by the king or queen of the land.

THAT until this may be done by the queen's majeſty, the government remain in the hands of the earle of Murray as it is, providing he ſhall not diſpoſe of any offices or perpetuals to continue any longer but to theſe offered of the premiſes.

THAT a parliament be ſummoned in Scotland by ſeveral commandments, both of the queen of Scots and of the young king.

—THAT hoſtages be delivered unto England on the young king's behalf, to the number of twelve perſons of the earle of Murray's part as the queen of Scots ſhall name; and likewiſe on the queen's behalf to the like number as the earle of Murray ſhall name; the ſame not to be any that have by inheritance or office cauſe to be in this parliament, to remain from the beginning of the ſummons of that parliament, until three months after that parliament; which hoſtages ſhall be pledges, that the friends of

of either part ſhall keep the peace in all caſes, till by this parliament it be concluded, that the ordinance which the queen of England ſhall deviſe for the government of the realm (being not to the hurt of the crown of Scotland, nor contrary to the laws of Scotland for any man's inheritance, as the ſame was before the parliament at Edin^r. the Decem^r. 1567) ſhall be eſtabliſhed to be kept and obeyed, under pain of high treaſon for the breakers thereof.

——THAT by the ſame parliament alſo be eſtabliſhed all executions and judgments given againſt any perſon for the death of the late king.

——THAT by the ſame parliament, a remiſſion be made univerſally from the queen of Scots to any her contrarys, and alſo from every one ſubject to another, ſaving that reſtitution be made of lands and houſes, and all other things heritable, that have been by either ſide taken from them which were the owners thereof at the committing of the queen of Scotts to Lochlevin.

THAT by the ſame parliament it be declared who ſhall be ſucceſſors to the crown next after the Q. of Scots and her iſſue; or elſe, that ſuch right of the D. of Chatelherault had, at the marriage of the Q. of Scots with the lord Darnley, may be conſerved and not prejudiced.

THAT the Q. of Scots may have leave of the queen's majeſty of England, twelve months after the ſaid parliament, and that ſhe ſhall not depart out of England, without ſpecial licence of the queen's majeſty.

THAT the young king ſhall be nouriſhed and brought up in England, till he be years of age.

IT is to be conſidered, that in this cauſe the compoſition between the queen and her ſubjects may be made with certain articles, outwardly to be ſeen to the world for her honour, as though all the parts ſhould come of her, and yet for the ſurety of contrarys, that certain betwixt her and the queen's majeſty are to be concluded.

No. XXXI. (Vol. I. p. 513.)

The queen to Sir Francis Knolleys, 22 Jan. 1568-9.

WE greet you well, we mean not, at this point, by any writing, to renew that which it hath pleaſed God to make grievous to us and ſorryfull to yow; but Paper Office.

but forbearing the ſame as unmeet at this point, having occaſion to command you in our ſervice, and yow alſo whileſt you are to ſerve us. We require yow to conſider of this that followeth with like conſideration and diligence, as hitherto yow have accuſtomate in our ſerviſe; at the time of our laſt letters written to yow the fourteenth of this month for removing of the queen of Scots, we had underſtanding out of Scotland of certain writtings ſent by her from thence into Scotland, amongſt the which one is found to contain great and manifeſt untruths touching us and others alſo, as ſhall and may plainly appear unto yow by the copy of the ſame, which likewiſe we ſend yow, and becauſe at the ſame time we were advertiſed, that it ſhould be ſhortly proclaimed in Scotland, though then it was not, we thought good firſt to remove the queen, before we would diſcloſe the ſame, and then expect the iſſue thereof; and now, this day, by letters from our couſin of Hunſdon we are aſcertained, that ſince that time the ſame matters contained in the writing, are publiſhed in diverſe parts of Scotland, whereupon we have thought it very meet, for the diſcharge of our honor, and to confound the falſehood contained in that writing, not only to have the ſame reproved by open proclamation upon our frontiers, the copy whereof we do herewith ſend yow, but alſo in convenient ſort to charge that queen therewith, ſo as ſhe may be moved to declare the authors thereof, and perſuaders of her to write in ſuch ſlanderous ſort ſuch untruths of us; and in the mean ſeaſon, we have here ſtayed her commiſſioners, knowing no other whom we may more probably preſume to be parties hereunto, than they, until the queen ſhall name ſome other, and acquit them; who being generally charged, without expreſſing to them any particularity, do uſe all manner of ſpeeches to diſcharge themſelves; wherefore our pleaſure is, that ye ſhall, after ye have well peruſed the copy of this writing ſent to yow, ſpeedily declare unto her, that we have good underſtanding given us of diverſe letters and writtings, ſent by her into Scotland, ſigned by her own hand, amongſt which, one ſuch writing is ſent with her commandment expreſly as now it is already publiſhed, as we are much troubled in mind that a princeſs as ſhe is having a cauſe in our hands ſo implicated with difficultys and calamitys, ſhould either conceave in her own mind, or allow of them that ſhould deviſe ſuch falſe,

falſe, untrue, and improbable matters againſt us, and our honor, and ſpecially to have the aventure to have the ſame being known ſo untrue to be publiſhed; and you ſhall alſo ſay, becauſe we will not think ſo ill of her, as that it ſhould proceed of her ſelf, but rather ſhe hath been counſelled thereunto, or by abuſe made to think ſome part thereof to be true, we require her, even as ſhe may look for ony favour at our hands, that ſhe will diſburden herſelf as much as truly ſhe may herein, and name them which have been the authors and perſwaders thereof, and ſo ſhe ſhall make as great amends to us as the caſe may require; after you have thus far proceeded, and had ſome anſwer of her, whether ſhe ſhall deny the writing abſolutely, or name any that have been the adviſers thereof, you ſhall ſay unto her that we have ſtayed her commiſſioners here, untill we may have ſome anſwer hereof, becauſe we cannot but impute to them ſome part of this evil dealing, untill by her anſwer the authors may be known; and as ſoon as you can have direct anſwers from her, we pray you to return us the ſame; for as the caſe ſtandeth, we cannot but be much diſquieted with it, having our honour ſo deeply touched contrary to any intention in us, and for any thing we know in our judgment the earl of Murray and others named in the ſame writing void of thought for the matters, to them therein imputed; you may impart to the queen of Scots either the contents of the ſlanderous letter, or ſhew her the copy to read it, and you may alſo impart this matter to the lord Scroop, to join with you there as you ſhall think meet.

Sir Francis Knolleys to queen Elizabeth, from Wetherby, the 28th January 1568.

—I WILL ſuppreſs my own grieffs, and paſs them over with ſilence, for the preſent learning of your majeſty—and for this queen's anſwer to the coppie of her ſuppoſed letter ſent unto Scotland, I muſt add this unto my brother's letter, ſent unto Mr. Secretary yeſternight late; in proceſs of time ſhe did not deny but that the firſt lines contained in the ſame copie, was agreeable to a letter that ſhe had ſent unto Scotland, which touched

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my

my lord of Murray's promiſe to deliver her ſon into your majeſty's hands, and to avoid that the ſame ſhould not be done without her conſent, made her, ſhe ſaith, to write in that behalf; ſhe ſaith alſo that ſhe wrote that they ſhould cauſe a proclamation to be made to ſtir her people to defend my lord of Murray's intent and purpoſe, for delivering of her ſaid ſon, and impunge his rebellious government, as ſhe termed it, but ſhe utterly denyeth to have written any of the other ſlanderous part of the ſaid letter touching your majeſty; ſhe ſaid alſo, that ſhe ſuſpected that a Frenchman, now in Scotland, might be the author of ſome Scotch letters deviſed in her name, but ſhe would not allow me to write this for any part of her anſwer.

No. XXXII. (Vol. I. p. 522.)

Sir Nicholas Throkmorton to the right honourable the Lord of Liddington.

20th of July 1569. From the Original.

YOUR letter of the 3d of July, I have received the 15th of the ſame. For anſwer whereunto you ſhall underſtand, that friends here to my lord regent and you do wiſh ſuch a concurrence in all doings, as in matter and circumſtances there ariſe no diſſenſion, or at the leaſt, no more nor other than the difference of countries doth neceſſarily require. We here do think convenient that as few delays be uſed as may be, for the conſummation of the matter in hand, which principally to advance, your allowance, proſecution, and ſpeedy promotion in Scotland, is moſt requiſite, for you are ſo wiſe, and well acquainted with the ſtate of the world, and with all our humours, as you know that ſome do allow and diſallow for reaſon, ſome for reſpect of multitude, ſome for reſpect of perſons, and ſo the cauſe is to go forward as men do like to ſet it forward. You are not to ſeek that ſome will uſe cautions, ſome neutrality, ſome delays, and ſome will plainly impunge it. And yet all and every of theſe ſorts will alter their doings, when they ſhall ſee the regent and his favourers accord with the beſt and greateſt part there, and agree with the wiſeſt and ſtrongeſt party here. Tho' the matter has taken its beginning here, upon deep and weighty conſi-

conſiderations, for the weil of both the princes and their realms, as well preſently, as in time to come, yet it is thought moſt expedient, that the regent and realm of Scotland, by you, ſhould propoſe the matter to the queen our ſovereign, if you like to uſe convenience, good order, or be diſpoſed to leave but a ſcar, and no wound of the hurts paſt. I would be glad that this my letter ſhould come to your hands before the convention, whereat it ſeems your queen's reſtoration and marriage to the duke of Norfolk ſhould be propounded, either to wynne in them both allowance or rejection. To which proceedings, becauſe you pray me to write frankly, I ſay and reaſon thus, me thinketh you uſe a prepoſterous order, to demand the conſent of ſuch perſons, in ſuch matters, as their minds to a good end hath rather been felt or prepared, and therefore there muſt needs follow either a univerſal refuſal, or factious diviſion amongſt you, whereby a blouſtering intelligence muſt needs come to queen Elizabeth of the intended marriage from thence, which ought to have been ſecretly and adviſedly propounded unto her highneſs; hereby you ſee then the meaning is, by this dealing, her majeſty ſhall be made inexorable and ſo bring the matter to ſuch paſſe, as this which ſhould have wrought ſurety, quietneſs, and a ſtay to both queens and their realms, ſhall augment your calamity, and throw us your beſt friends into divorſe with you, and into unhappy diviſion amongſt ourſelves; for you may not conjecture that the matter is now in deliberation, but expecteth good occaſion for executing; ſure I am you do not judge ſo ſlenderly of the managing this matter, as to think we have not caſt the worſt, or to enter therein ſo far without the aſſiſtance of the nobility, the ableſt, the wiſeſt, and the mightieſt of this realm except queen Elizabeth: from whom it hath been concealed untill you, as the fitteſt miniſter, might propound it to her, on the behalf of the regent, and the nobility of Scotland. How far maſter Woddes defamations do carry them of queen Elizabeth's affections, and maſter ſecretary's, to aſſiſt the regent and to ſuppreſs the queen of Scots, I know not, nor is it not material; but I do aſſuredly think, that her majeſty will prefer her ſurety, the tranquillity of her reign, and the conſervation of her people, before any device, which may proceed from vain diſcourſe, or imperfections of paſſions, and inconſiderate affections. And as for Mr. Secretary,

you are not to learn, that as he liketh not to go too faſt afore, ſo he coveteth not to tarry too far behind, and ſpecially when the reliques be of no great value or power. If I could as well aſſure you of his magnanimity, and conſtancy, as of his preſent conformity, I would ſay confidently, you may repoſe as well of him in this matter, as of the duke of Norfolk, the earls of Arundel, Pembroke, Leiceſter, Bedford, Shrewſbury, and the reſt of the nobility; all which do embrace and proteſte the accompliſhment of this caſe. I have, according to your advice, written preſently to my lord Regent, with the ſame zeal and care of his well doing that I owe to him, whom I love and honour. Mr. Secretary hath aſſured unto him the queen of Scotland's favour and good opinion, wherewith he ſeemeth to be well ſatisfy'd. If your credit be, as I truſt, haſten your coming hither, for it is very neceſſary that you were here preſently. Q. Elizabeth both doth write to my lord Regent in ſuch ſort, as he may perceive Mr. Wood's diſcourſes of her majeſty's affection to be vain, and Mr. Secretary otherwiſe bent than he conjectureth of him, the effect of which her majeſty's letter you ſhall underſtand, by my lord Leiceſter's letter unto you at this diſpatch. At the court, 20th July 1569.

No. XXXIII. (Vol. I. p. 524.)

Part of a letter from the earl of Murray to L. B. *probably Lord Burleigh.*

1569. Harl. Lib. 37. B. 9. fo. 43.

—BECAUSE I ſee that great advantage is taken on ſmall occaſions, and that the mention of the marriage betwixt the queen my ſovereign's mother, and the D. of Norfolk hath this while paſt been very frequent in both the realms, and then I myſelf to be ſpoken of as a motioner, which I perceive is at the laſt come to her majeſty's ears; I will, for ſatisfaction of her highneſs, and the diſcharge of my duty towards her majeſty, manifeſt unto you my intereſt, and medling in that matter, from the very beginning, knowing whatſoever is prejudicial to her highneſs, cannot but be hurtful to the king my ſovereign, this his realm, and me. What conferrences was betwixt the duke of Norfolk, and any of them that were

were with me within the realm of England, I am not able to declare; but I am no wise forgetful of any thing that passed betwixt him and me, either at that time, or since. And to the end her Majesty may understand how I have been dealt with, in this matter, I am compelled to touch some circumstances, before there was any mention of her marriage. In York, at the meeting of all the commissioners, I found very—and neutral dealing with the duke, and others her highness's commissioners in the beginning of the cause, as in the making of the others to proceed sincerely, and so furth. During which time, I entered into general speech, sticking at our just defence in the matters that were objected against us, by the said queen's commissioners, looking certainly for no other thing, but summary cognition in the cause of controversy, with a final declaration to have followed. Upon a certain day the lord Lithington secretary rode with the duke to Howard, what purpose they had I cannot say, but that night Lithington returning, and entering in conferrence with me upon the state of our action, I was advised by him to pass to the duke, and require familiar conferrence, by the which I might have some feeling to what issue our matters would tend. According to which advice, having gotten time and place convenient in the gallery of the house where the duke was lodged, after renewing of our first acquaintance made at Berwick, the time before the assize of Leith, and some speeches passed betwixt us; he began to say to me, how he in England had favour and credit, and I in Scotland had will and friendship of many, it was to be thought there could be none more fit instruments, to travel for the continuance of the amity betwixt the realms, than we two. And so that discourse upon the present state of both, and how I was entered in that action tending so far to the queen's dishonour, I was willed by him to consider how matters stood in this, what honour I had received of the queen, and what inconveniences her defamation in the matters laid to her charge might breed to her posterity. Her respect was not little to the crown of England, there was but one heir. The Hamiltons my unfriends, had the next respect, and that I should esteem the issue of her body would be the more affectionate to me and mine, than any other that could attain to that crown. And so it should be meetest, that she affirmed her dimission made in Lochlevin, and we to abstract the let-

ters of her hand write, that ſhe ſhould not be defamed in England. My reply to that was, how the matter had paſſed in parliament, and the letters ſeen of many, ſo that the abſtracting of the ſame could not then ſecure her to any purpoſe, and yet ſhould we, in that doing, bring the ignominy upon us. Affirming it would not be fair for us that way to proceed, ſeeing the queen's majeſty of England was not made privy to the matter as ſhe ought to be, in reſpect we were purpoſely come in England for that end, and for the — of the grants of our cauſe. The duke's anſwer was, he would take in hand to handle matters well enough at the court. After this, on the occaſion of certain articles, that were required to be reſolved on, before we entered on the declaration of the very ground of our action, we came up to the court; where ſome new commiſſioners were adjoined to the former, and the hearing of the matter ordained to be in the parliament houſe at Weſtminſter, in preſence of which commiſſioners of the ſaid queen, and ——— through the —— rebuking of the queen of England's own commiſſioners, we uttered the whole of the action, and produced ſuch evidences, letters, and probations, as we had, which might move the queen's majeſty to think well of our cauſe. Whereupon expecting her highneſs declaration, and ſeeing no great likelihood of the ſame to be ſuddenly given, but daily motions then made to come to an accord with the ſaid queen, our matters in hand in Scotland, in the mean ſeaſon, ſtanding in hazard and danger, we were put to the uttermoſt point off our wit, to imagine whereunto the matters would tend, tho' albeit we had left nothing undone for juſtification of our cauſes, yet appeared no end, but continual motions made to come to ſome accord with the queen, and reſtore her to whole or half reign. I had no other anſwer to give them, but that I ſhould neither do againſt conſcience or honour in that matter. Notwithſtanding ſeeing this my plain anſwer wrought no end, nor diſpatch to us, and that I was informed that the duke began to miſlike of me, and to ſpeak of me, as that I had reported of the ſaid queen irreverently, calling her ——— and murderer, I was adviſed to paſs to him, and give him good words and to purge myſelf of the things objected to me, that I ſhould not open the ſudden entry of his evil grace, nor have him to our enemy———conſidering his greatneſs. It being therewithal whiſpered, and ſhewed

Probably *adulterer.*

ſhewed to me, that if I departed, he ſtanding diſcontented and not ſatisfied, I might peradventure find ſuch trouble in my way, as my throat might be cut before I came to Berrick. And therefore ſince it might well enough appear to her marriage, I ſhould not put him in utter deſpair, that my good will could not be had therein. So few days before my departing I came to the park in Hampton court, where the duke and I met together, and there I declared unto him that it was come to my ears, how ſome miſreport ſhould be made of me to him, as that I ſhould ſpeak irreverently nd raſhly of the ſaid queen my ſovereign's mother, ſuch words as before expreſſed, that he might —— thereby my affection to be ſo alienate from her, as that I could not love her, nor be content of her preferment, howbeit he might perſwade himſelf of the contrary, for as ſhe once was the perſon in the world that I loved beſt, having that honour to be ſo near unto her, and having received ſuch advancement and honour by her, I was not ſo ungrate or ſo unnatural ever to wiſh her body harm, or to ſpeak of her as was untruly reported of me, (howſoever the truth was in the ſelf) and as to the preſervation of her ſon, now my ſovereign, had moved me to enter into this cauſe, and that her own preſſing was the occaſion of that was uttered to her —— whenſoever God ſhould move her heart to repent of her bypaſt behaviour and life, and after her known repentance, that ſhe ſhould be ſeparate from that ungodly and unlawful marriage that ſhe was entered in, and then after were joined with ſuch a godly and honourable a perſonage, as were affectioned to the true religion, and whom we might truſt, I could find in my heart to love her, and to ſhew her as great pleaſure, favour, and good will, as ever I did in my life; and in caſe, he ſhould be that perſonage, there was none whom I could better like of, the queen —— in —— of England being made privy to the matter, and ſhe allowing thereof, which being done, I ſhould labour in all things that I could, to her honour and pleaſure, that were not prejudicial to the king my ſovereign's eſtate, and prayed him not to think otherwiſe of me, for my affection was rather buried and hidden within me, awaiting until God ſhould direct her to know herſelf, than utterly alienated and abſtracted from her; which he ſeemed to accept in very good part, ſaying, Earl of Murray thou thinks of me

Probably *ſuſpect.*

Probably *diſhonour.*

that thing, whereunto I will make none in England or Scotland privy, and thou haſt Norfolk's life in thy hands So departing, I came to my lodging, and by the way and all night, I was in continual thought and agitation of mind, how to behave myſelf in that weighty matter, firſt, imagining whereunto this ſhould tend, if it were attempted without the queen's majeſty of England's knowledge and good will, this realm and I myſelf in particular having received ſuch favour and comfort at her highneſs's hands, and this whole iſle ſuch peace and quietneſs, ſince God poſſeſſed her majeſty with her crown. And on the other part, ſeeing the duke had diſcloſed him to me, proteſting, none other were or ſhould be privy to our ſpeech, I tho't I could not find in my heart to utter any thing that might endanger him; moved to the uttermoſt with theſe cogitations, and all deſire of ſleep then removed, I prayed God to ſend me ſome good relief and outgate, to my diſcharge, and ſatisfaction of my troubled mind, which I found indeed; for upon the morn, or within a day or two thereafter, I entered in converſation with my lord of Leiceſter, in his chamber at the court, where he began to find ſtrange with me, that in the matter I made ſo difficult to him, ſtanding ſo preciſely on conferrence, and how when I had in my communication with the duke, come ſo far —— and there he made ſome diſcourſe with me, about that which was talke betwixt us, I perceiving that the duke had —— the matter to my lord of Leiceſter, and thinking me thereby diſcharged at the duke's hands, therefore I repeated the ſame communication in every point to my lord of Leiceſter, who deſired me to ſhew the ſame to the queen's majeſty, which I refuſed to do, willing him if he tho't it might import her highneſs any thing, that he as one —— by her majeſty, and for many benefits received at her highneſs's hands is obliged to wiſh her well, ſhould make declaration of the ſame to her majeſty, as I underſtand by ſome ſpeech of her highneſs to me, he did. This my declaration to the duke was the only cauſe, that ſtaid the violence and trouble prepared for me unexecuted, as I have divers ways underſtood. The ſame declaration I was obliged to renew ſince in writings of —— ſent to my ſervant John Wood. The ſum whereof, I truſt, he ſhewed the duke, and ſomething alſo I wrote to himſelf, for it was tho't this ſhould

Probably *diſcloſed.*

ſhould redeem ſome time, that the duke ſhould not ſuddenly declare him our enemy, for his greatneſs was oft laid before me, and what friendſhip he had of the chief of the nobility in England, ſo that it might appear to the queen's majeſty of England—ſo cold towards us, and doing nothing publickly that might ſeem favourable for us, we had ſome cauſe to ſuſpect that her highneſs ſhould not be contrarious to the marriage when it ſhould be propoſed to her. The ſharp meſſage ſent by her majeſty with the lord Boyd, who had the like commiſſion from the duke tending ſo far to the ſaid queen's preferment, as it were propoſing one manner of conditions from both, gave us to think that her highneſs had been foreſeen in the duke's deſign, and that ſhe might be induced to allow thereof. But howbeit it was deviſed in England, that the lord of Lethington ſhould come as from me, and break the matter to her highneſs, as her majeſty in a letter declared that ſhe looked for his coming, yet that deviſe proceeded never of me, nor the noblemen at the convention could no wiſe accord to his ſending, nor allow of the matter motioned, but altogether miſliked it, as bringing with the ſame great inconveniencies to the ſurety and quietneſs of this whole iſle; for our proceedings have declared our miſliking and diſallowance of the purpoſe from the beginning, and if we had pleaſed he was ready for the journey. And in likewiſe it was deviſed to give conſent, that the ——— between the ſaid queen and Bothwell, ſhould be ſuffered to proceed in this realm, as it was deſired by the ſaid lord Boyd, by reaſon we could not underſtand what was the queen's majeſty's pleaſure, and allowance in that behalf ——— And whereas ye mean, that her highneſs was not made privy of any ſuch intention, the fault was not in me. The firſt motion being declared, as I have written, to my lord of Leiceſter, and by him imparted to her majeſty, ſo far as I could perceive by ſome ſpeech of her highneſs's to me, before my departing. Thus I have plainly declared how I have been dealt withal for this marriage, and how juſt neceſſity moved me not to require directly, that which the duke appeared ſo ——— unto. And for my threatnings, to aſſent to the ſame, I have expreſſed the manner; the perſons that laid the matter before me, were of my own company. But the duke ſince hath ſpoken, that it was his writing which ſaved my life at that time. In con-

Probably *divorce*.

cluſion I pray you perſuade her majeſty, that ſhe let no ſpeeches nor any other thing paſſed and objected to my prejudice, move her majeſty to alter her favour—towards me, or any ways to doubt of my aſſured conſtancy towards her highneſs; for in any thing which may tend to her honour and ſurety, I will, while I live, beſtow myſelf, and all that will do for me, notwithſtanding my hazard or danger, as proof ſhould declare, when her majeſty finds time to employ me.

APPENDIX

TO THE

SECOND VOLUME.

No. I. (Vol. II. p. 2.)

William Maitland of Ledington, to my lord of Leiceſter, March 20th, 1570, from Ledington.

THE great deſolation threatned to this whole realm, be the diviſions thereof in dangerous factions, doth preſs me to frame my letters to your lordſhip, in other ſort, then were behovefull for me, if I had no other reſpect, but only to maintain my private credit; therefore I am driven to furniſh them with matter, which I know not to be plauſible, whereupon by miſconſtruing my meaning, ſome there may take occaſion of offence, thinking that I rather utter my own paſſions, than go about to inform your lordſhip truly of the ſtate; but I truſt my plain dealing ſhall bear record to the ſincerity of my meaning; to make the ſame ſenſible, I will lay before your lordſhip's eyes, the plat of this country; which firſt is divided into two factions, the one pretending the maintenance of the king's reign, the other alledging the queen to have been cruelly dealt withall, and unjuſtly deprived of her ſtate; the former is compoſed of a good number of nobility, gentlemen, and principal burroughs of the realme, who ſhall have, as Mr. Randolph beareth us in hand, the queen's majeſty your ſovereign's allowance and protection; the other hath in it ſome moſt principall of the nobility, and therewithall, good numbers of the inferior ſort, throughout the whole realm, which alſo look aſſuredly that all kings do allow their quarrel and will aid them accordingly. What conſequence this diviſion will draw after it, I leave it to your lordſhip's conſideration; there is fallen out another diviſion, accidentally, by my lord regent's death, which is like to change the ſtate of the other two factions, to encreaſe the one, and diminiſh the other, which is

An Original.

grounded upon the regiment of the realm. Some number of noblemen aſpire to the government, pretending right thereto by reaſon of the queen's demiſſion of the croun, and her commiſſion granted at that time for the regiment during the king's minority; another faction doth altogether repine againſt that diviſion, thinking it neither fit nor tolerable, that three or four of the meaneſt ſort amongſt the earls, ſhall preſume to challenge to themſelves a rule over the whole realme, the next of the blood, the firſt in rank, the greateſt alway both for the antientry of their houſes, degree, and forces, being negleckted; this order they think prepoſterous, that the meaner ſort ſhall be placed in public function to command, and the greater ſhall continue as private men to obey; beſides that, they think if the commiſſion had in the beginning been valewable, (which the moſt part will not grant) yet can it not be extended to the preſent, for that the conditions thereunto annexed are ceaſed, and ſo the effect of the whole void; the latter part of this diviſion hath many pretences, for beſides the queen's faction, which is wholly on that ſide, a great number of theſe that have heretofore profeſſed the king's obedience, do favour the ſame, and will not yield to the government of the other, whoſe preferment for reſpects they miſlike, when the queen's faction ſhall be increaſed, with a part of the king's, and theſe not of leaſt ſubſtance, and yow may judge what is like to enſue; an other incident is like to move men to enter in further diſcourſes, it is given out here in Scotland that the queen's majeſty is ſetting forth ſome forces towards the border, which ſhall enter this realm, to countenance theſe, that aſpire to the regiment, and ſuppreſs the contrary faction, and bruits are ſpread, that the ſame ſhall be here out of hand; theſe that think themſelves of equal force with their contrary faction at home, are rather an overmatch to them, yet not able to encounter with the forces of another prince, rather than yield to their inferiors, will, I fear, take advice of neceſſity, and evil councillors, and ſeek alſo the maintenance of ſome foreign prince, whereby her majeſty (altho no further inconvenient were to be feared) muſt be driven to exceſſive charges, and it would appear there were a conſpiracy of all the elements at one time to ſet us together by the ears, for now when the rumour of your forces coming towards the border is ſpread abroad, even at the ſame time is arrived at Dumbarton, a galzeon with

with a meſſenger ſent expreſly from the king of France, to that part of the nobility that favours the queen, to learn the ſtate of the country, and what ſupport they lack or deſire, either for furtherance of her affairs, or for their own ſafety; aſſuredly this meſſage will be well received, and ſuffered accordingly, this is the preſent ſtate of Scotland. Now, if your lordſhip would alſo know my opinion, how to choice the beſt, as the caſe ſtandeth; I will in that alſo ſatisfie your lordſhip, I am required from them to deal plainly, and your lordſhip ſhall judge whether I do ſo or not; for I think it plain dealing, when I ſimply utter my judgment, and go not about to diſguiſe my intents. I truſt the queen's majeſty hath a deſire to retain at her devotion the realme of Scotland, which ſhe hath gone about to purchaſe, with beſtowing great charges, and the loſs of ſome of her people; this deſire is honourable for her highneſs, profitable for both the countrys, and of none to be diſallowed; ſpecially if it be (as I take it) to have the amity of the whole realm, for it is not a portion of Scotland can ſerve her turn, nor will it prove commodious for her to ſuit the friendſhip of a faction of Scotland, for in ſo doing, in gaining the beſt, ſhe may loſe the more, and the ſame would bring all her actions with us in ſuſpicion, if ſhe ſhould go about to nouriſh factions amongſt us, which meaning I am ſure never entered into her majeſty's heart; then if it be the friendſhip of the whole ſhe doth demand, let her not, for pleaſure of one part, go about to overthrow the remnant, which will not be ſo faiſable, as ſome may give her to underſtand; but rather, by way of treaty, let her go about to pacify the whole ſtate, bring the parties to an accord, reduce us all by good means to an uniformity, ſo ſhall ſhe give us all occaſion to think well of her doings, that ſhe tendeth our wealth, and provokes us univerſally to wiſh unto her majeſty a moſt proſperous continuance; by the contrary, if, for the pleaſure of a few, ſhe will ſend forces to ſuppreſs theſe whom they miſlike, and ſo conſequently offend many; men be not ſo faint hearted, but they have courage to provide for their own ſafety, and not only will embrace the means partly offered, but will alſo procure further, at the hand of other princes. This for mine own part, I do abhor, and proteſt I deſire never to ſee forces of ſtrangers to ſet foot within this land, yet I know not what point neceſſity may drive men into, as if men in the middle

of

of the ſea were in a ſhip, which ſuddenly ſhould be ſet on fire, the fear of burning would make them leap into the ſea, and ſoon after the fear of the water would drive them to cleive again to the fired ſhip, ſo for avoiding preſent evil, men will many times be inforced to have recourſe to another, no leſs dangerous. Truſt me forces will not bring forth any good fruit to her majeſty's behove, it muſt be ſome way of treaty ſhall ſerve the turn, wherein by my former letters your lordſhip doth know already what is my judgment; you ſee how plainly I do write, without conſideration in what part my letters may be taken, yet my hope is that ſuch as will favourably interpret them, ſhall think that I mean as well to her majeſty, and that realme, as theſe that will utter other language. I wiſh the continuance of the amity betwixt the two countrys, without other reſpect, and will not conceal from her majeſty any thing, to my knowledge, tending to the prejudice thereof; if I ſhall perceave her majeſty taking frank dealings in evil part, I ſhall from thenceforth forbear; in the mean ſeaſon I will not ceaſe to trowble your lordſhip, as I ſhall have occaſion to write, and ſo I take my leave of your lordſhip.

No. II. (Vol. II. p. 9.)

Letter of queen Eliſabeth to the earle of Suſſeks, July 2d, 1570.

Calderw. MS. Hiſtory, vol. 2. p. 189.

RIGHT truſty and well beloved couſin we greet you well, this day we have received your letters of 28 the laſt month, with all other letters, ſent from Scotland, and mentioned in your letters, whereunto anſwer is deſired to be given before the tenth of this month; which is a very ſhort time, the weightineſs of the matters, and the diſtance of the places conſidered; nevertheleſs we have, as the ſhortneſs could ſuffer it, reſolved to give this anſwer following, which we will that yow, by warrand hereof ſhall cauſe to be given in our name to the earl of Lennox and the reſt of the noblemen conveened with him, Where it is by them, in their letters, and writings alledged, that for lack of our reſolute anſwer, concerning the eſtabliſhing of the regiment of the realm, under their young king, great inconveniencies have happened, and therefore

they have deferred now at their laſt convention to determine or the ſamine, who ſhall have the place of governour, until the 21ſt this month, before which time they require to have our adviſe, in what perſon or perſons the government of that realm ſhall be eſtabliſhed, we accept very thankfully the goodwill and reputation they have of us, in yielding ſo frankly to require and follow our adviſe in a matter, that toucheth the ſtate of their king, their ſelves, and realm ſo near, wherein as we perceive, that by our former forbearing to intermeddle therein, they have taken ſome diſcomfort, as though that we would not have regard to their ſtate and ſurety, ſo on the other part, they of their wiſdoms ought to think, that it might be by the whole world evil interpreted in us to appoint them a form of government, or a governour by name, for that howſoever we ſhould mean well if we ſhould do ſo, yet it could not be without ſome jealouſy in the heads of the eſtate, nobility, and community of that realm, that the government thereof ſhould be by me ſpecially named, and ordained; ſo as finding difficulty on both parts, and yet miſliking moſt that they ſhould take any diſcomfort by our forbearing to ſhow our mind therein, we have thought in this ſort for to proceed, conſidering with ourſelves how now that realm had been a good ſpace of time ruled in the name of their king, and by reaſon of his baſe age, governed heretofore by a very careful and honourable perſon, the earle of Murray, untill that by a miſchievous perſon, (an evil example) he was murdered, whereby great diſorder and confuſion of neceſſity had, and will more follow, if determination be not made of ſome other ſpecial perſon, or perſons, to take the charge of governor, or ſuperior ruler, ſpeciall for adminiſtration of law and juſtice, we cannot but very well allow the deſire of theſe lords to have ſome ſpecial governor to be choſen; and therefore being well aſſured, that their own underſtanding of all others is beſt to conſider the ſtate of that realm, and to diſcern the abilities and qualities of every perſon meet and capable for ſuch a charge, we ſhall better ſatisfie ourſelves, whom they by their common conſent ſhall firſt chooſe, and appoint to that purpoſe, then of any to be by us aforehand uncertainly named, and that becauſe they ſhall perceave that we have care of the perſon of their king, who by nearneſs of blood, and in reſpect of his ſo young years, ought to be very tender and dear to us, we ſhall not hide

our

our opinion from them, but if they ſhall all accord to name his grandfather, our couſin, the earl of Lennox to be governor alone, or jointly with others, (whom we hear to be in the mean time by their common conſent appointed lieutenant-general) reaſon moveth us to think that none can be choſen in that whole realm, that ſhall more deſire the preſervation of the king, and be more meet to have the government for his ſafety, being next to him in blood of any nobleman of that realm, or elſewhere; and yet hereby, we do not mean to preſcrive to them this choice, except they ſhall of themſelves fully and freely allow thereof; furthermore we would have them well aſſured, that whatſoever reports of deviſes, are, or ſhall be ſpread or invented, that we have already yielded our mind to alter the ſtate of the king or government of that realm, the ſame are without juſt cauſe or ground by us given, for as we have already advertized them, that although we have yielded to hear, which in honour we could not refuſe, what the queen of Scots on her part ſhall ſay and offer, not only for her own aſſurance, but for the wealth of that realm, yet not knowing what the ſame will be, that ſhall be offered, we mean not to break the order of law and juſtice, by advancing her cauſe, or prejudging her contrary, before we ſhall deliberately and aſſuredly ſee, upon the hearing of the whole, ſome place neceſſary, and juſt cauſe to do; and therefore finding that realm ruled by a king, and the ſame affirmed by laws of that realm, and thereof inveſted by coronation and other ſolemnities uſed and requiſite and generally ſo received be the whole eſtates, we mean not by yielding to hear the complaints or informations of the queen againſt her ſon, to do any act whereby to make concluſion of governments, but as we have found it, ſo to ſuffer the ſame to continue, yea not to ſuffer it to be altered by any means that we may impeſhe, as to our honour it doth belong, as by your late actions hath manifeſtly appeared, untill by ſome juſtice, and clear cauſe, we ſhall be directly induced otherwiſe to declare our opinion; and this we would have them to know to be our determination and courſe that we mean to hold, whereon we truſt they for their king may ſee how plainly and honourably we mean to proceed, and how little cauſe they have to doubt of us, whatſoever to the contrary they have or ſhall hear; and on the other part, we pray them of their wiſdoms to think how unhonourable,

nourable, and contrary to all human order it were for us, when the queen of Scotland doth ſo many ways require to hear her cauſe, and doth offer to be ordered be us in the ſame, as well for matters betwixt ourſelves and her, as betwixt herſelf and her ſon and his party of that realm, againſt which offers no reaſon could move us to refuſe to give ear, that we ſhould aforehand openly and directly, before the cauſes be heard and conſidered, as it were, give a judgment or ſentence either for ourſelves or for them whom ſhe maketh to be her contraries. Finally ye ſhall admoniſh them, that they do not, by miſconceiving our good meaning towards them, or by indirect aſſertions of their adverſary grounded on untruths, hinder or weaken their own cauſe, in ſuch ſort, that our good meaning towards them ſhall not take ſuch effect towards them, as they ſhall deſire, or themſelves have need of. All this our anſwer ye ſhall cauſe be given them, and let them know, that for the ſhortneſs of time, this being the end of the ſecond of this month, we neither could make any longer declaration of our mind, nor yet write any ſeveral letters, as if time might have ſerved we would have done. 2 July, 1570.

No. III. (Vol. II. p. 9.)

The biſhop of Roſs to ſecretary Lidington from Chattiſworth.

I HAVE received your letters dated the 26th of May, here at Chattiſworth, the 10 of January, but on the receipt thereof I had written to you at length, like as the queen did with my lord Levingſton, by the which you will be reſolved of many points contained in your ſaid letter. I writ to you that I received your letter and credit from Thomas Cowy at London, and ſent to Leiceſter to know the queen of England's mind whether you ſhould come here or not. He ſent me word, that ſhe will no ways have you come as one of the commiſſioners, becauſe ſhe is yet offended with you; and therefore it appears good that ye come not hither, but remain where you are, to uſe your wiſdom and diligence, as may beſt advance the queen's affairs, for I perceive your weill and ſafety depends thereon, in reſpect of the great feid and enmi- 15th June 1570.

ennimity born againſt you by your Scots people, and the great heirſhip taken of your father's landis; both were ſure demonſtrations of their malice. Yet I am encouraged by your ſtout and deliberate mind. Aſſure yourſelf no diligence ſhall be omitted to procure ſupports forth off all parts where it may he had. We will not refuſe the aid neither of Papiſt, Jew, nor Gentil, after my advice; and to this end, during this treaty, let all things be well prepared. And ſeeing my lord Seaton is deſirous to go into Flanders, the queen thinks it very neceſſary that he ſo do, for the duke D'Alva has gotten expreſs command of the king of Spain to give ſupport, and I am ſure that there he ſhall have aid both of Flanders and the pope, for it abides only on the coming of ſome men of countenance, to procure and receive the ſame. He muſt needs tarry there, on the preparations thereof, during the treaty, which will be a great furtherance to the ſame here. The queen has already written to the duke D'Alva for this effect, advertizing of his coming; there is certain ſums of money coming for ſupport of the Engliſhmen, as I wrote to you before from the pope. Whereupon I would he had a general commiſſion to deal for them, and receive ſuch ſums as ſhall be given. The means ſhall be found to cauſe you be anſuerit of the ſums you writ for, to be diſpoiſit upon the furniſhing of the caſtle of Edenburgh, ſo being ſome honeſt and true man were ſent to Flanders to receive it, as ſaid is, which I would you prepared and ſent. Orders ſhall be taken for the metals as you writ of. We have proponit your avyce in entering to treat with the queen of England, for retiring of her forces puntyoally for lack of aid. Your anſwers to the Engliſhmen are tho't very good, but above all keep you weil out of their hands, in that caſe, eſtote prudentes ſicut ſerpentes. You may take experience with the hard dealing with me, how ye would be uſed if ye were here, and yet I am not forth of danger, being in medio nationis pravæ; always no fear, with God's grace, ſhall make me ſhrink from her majeſty's ſervice. Since the queen of England has refuſed that you come here, it appears to me quod nondum eſt ſedata malitia amorreorum, &c. and therefore if Athol or Cathenes might by any means be procured to come, they were the moſt fit for the purpoſe, Rothes were alſo meet, if he and I were not both of one ſirname; ſo the treaty would get the leſs credit either in Scotland or here. Therefore avys,

and

and ſend the beſt may ſerve the turn, and fail not Robert Melvil come with them, whoever comes, for ſo is the queen's pleaſure; in my laſt packet, with James Fogo, to you, in the beginning of May, I ſent a letter of the queen's own hand-writing to him, which I truſt ye received. I am ſorry ye come not for the great relief I hoped to have had by your preſence, for you could well have handled the queen of England, after her humour, as you were wont to do. The reſt I refer to your good wiſdom, praying God to ſend you health. From Chattiſworth the 15th of January.

No. IV. (Vol. II. p. 30.)

The declaration of John Cais to the lords of Grange and Lethington zoungare upon the 8th day of Oct. 1571.

WHereas you deſire to know the queen's majeſty's pleaſure, what ſhe will do for appeaſing of theſe controverſies, and therewith has offered yourſelves to be at her commandment, touching the common tranquility of the whole iſle, and the amity of both realms; her pleaſure is in this behalf, that ye ſhould leave off the maintenance of this civil diſcord, and give your obedience to the king, whom ſhe will maintain to the utmoſt of her power.

AND in this doing, ſhe will deal with the regent and the king's party, to receive you into favour, upon reaſonable conditions for ſecurity of life and livings.

ALSO ſhe ſays that the queen of Scotts, for that ſhe has practiſed with the pope and other princes, and alſo with her own ſubjects in England, great and dangerous treaſons againſt the ſtate of her own country, and alſo to the deſtruction of her own perſon, that ſhe ſhall never bear authority, nor have liberty while ſhe lives.

IF ye refuſe theſe gentle offers, now offered unto you, ſhe will preſently aid the king's party, with men, ammunition, and all neceſſary things, to be had againſt you.

WHEREUPON her majeſty requires your anſwer with ſpeed, without any delay.

No. V.

No. V. (Vol. II. p. 40.)

Articles ſent by Knox to the general Aſſembly, Auguſt 5th, 1572.

Calderw. MS. Hiſtory, Vol. 2. 356.

FIRST, deſiring a new act to be made ratifying all things concerning the king and his obedience that were enacted of before without any change, and that the miniſters who have contraveened the former acts be corrected as accordeth.

THAT ſute be made to the Regent's grace and nobility maintaining the king's cauſe, that whatſoever proceedeth in this treaty of peace they be mindful the kirk be not prejudg'd thereby, in any ſort, and they eſpecially of the miniſters, that have been robbed of their poſſeſſions within the kirk during the time of the troubles, or otherwiſe dung and injured, may be reſtored.

To ſute at the regent, that no gift of any biſhoprick or other benefice be given to any perſon, contrary to the tenor of the acts made in the time of the firſt regent of good memory, and they that are given contrar the ſaid acts, or to any unqualified perſon, may be revoked and made null be an act of ſecret council, and that all biſhopricks, ſo vacand may be preſented, and qualified perſons nominat thereunto, within a year after the vaking thereof, according to the order taken in Leith be the commiſſioners of the nobility and of the kirk in the month of January laſt, and in ſpecial to complain upon the giving of biſhoprick of Roſs to the lord Methven.

THAT no pentions of benefices, great or ſmall, be given be ſimple donation of any lord regent, without conſent of the poſſeſſor of the ſaid benefices having tittle thereto, and the admiſſion of the ſuperintendent or commiſſioners of the province where this benefice lyeth, or of the biſhops lawfully elected according to the ſaid order taken at Leith; and deſire an act of council to be made thereupon, until the next parliament, wherein the ſamine may be ſpecially inacted, with inhibition to the lords of ſeſſion to give any letters or decreets, upon ſuch ſimple gifts of benefices or pentions not being given in manner above rehearſed, and that the kirk preſently aſſembled declare all ſuch gifts null ſo far as lyeth in their power.

THAT

THAT the first form of presentation to benefices, which were in the first and second regent's time, be not changed as now it is commonly; but that this clause be contained in the presentation, that if the persons presented make not residance, or be slanderous or found unworthy either in life or doctrine be the judgment of the kirk (to which alwise he shall be subject) or meet to be transported to another room at the sight of the kirk, the said presentation and all that shall fall thereupon shall be null and of no force nor effect; and this to have place also in the nomination of the bishops.

THAT an act be made in this assembly that all things done in prejudice of the kirk's assumption of the third, either by papists or others, by giving of fews, liferents, or taks, or any otherwise disponing the said assumed thirds, be declared null with a solemn protestation the whole kirk disasenteth thereto.

THAT an act be made decerning and ordaining all bishops, admitted to the order of the kirk now received, to give account of their whole rents, and intromissions therewith once in the year, as the kirk shall appoint, for such causes as the kirk may easily consider the same to be most expedient and necessar.

ANENT the jurisdiction of the kirk, that the same be determined in this assembly, because this article hath been long postponed to make sute to the regent and council for remedy against messengers and excommunicate persons.

LAST that orders be taken anent the procurers of the kirk, who procure against ministers and ministry, and for sutting of justice of the kirk's actions in the session.

No. VI. (Vol. II. p. 46.)

Declaration of Henry Killigrew, Esq; upon the peace concluded the 23d Feb. 1572.

BE it known to all men, by these presents, that I Henry Killegrewe, Esq; ambassador for the queen's majesty of England. Forasmuch as, at the earnest motion and solicitation being made to me, on her highness's behalf, there is accord and pacification of the public troubles and civil war within this realm of Scotland agreed and concluded, and the same favourably extended towards the right

honourable George earl of Huntly, lord Gordon and Baidzenuch, and the lord John Hamilton, ſon to the duke's Grace of Chaſtellarault, and commendatour of the abby of Abirbrothock, for the ſurety of their lives, livings, honours, and goods of them, their kinsfolks, friends, ſervants, and partakers, now properly depending on them; in treating of the which ſaid pacification, the murders of the late earl of Murray uncle, and the earl of Levenax grandfather, late regent to the king's majeſty of Scotland his realm and lieges, as alſo an article touching the diſcharge for the fructis or moveable goods, which the ſaid perſons have taken fra perſonis profeſſing the king's obedience, before the damages done or committed by them, ſince the 15th day of Junij, 1567, and before the penult day of July laſt by paſſed, by reaſon of the common cauſe or any thing depending thereupon, being thought by the king's commiſaries matteris of ſuch wecht and importance, as the king's preſent regent could not conveniently, of himſelf, remit or diſcharge the ſame. Yet in reſpect of the neceſſity of the preſent pacification, and for the weil of the king, and common quietneſs of this realm and lieges, it is accorded, that the matters of remiſſion of the ſaid murderers, and of the diſcharge of the ſaid fructis, moveable goods, and other damages, be moved by the perſons deſiring the ſaid remiſſions and diſcharge to the queen's majeſty my ſovereign, as to the princeſs neareſt both in blood and habitation to the king of Scots. And whatſoever her majeſty ſhall adviſe and counſel touching the ſaid remiſſion and diſcharge, the ſaid lord regent, for the weil of the king and univerſal quietneſs of the realm of Scotland, ſhall perform, obſerve, and fulfil the ſame. And in likewiſe, the ſaid earl Huntly, and commendatour of Abirbrothock, being urged to have delivered pledges and hoſtages for obſervation of the conditions of the ſaid accord and pacification, hath required me in place thereof, in her majeſty's name, by virtue of my commiſſion, to promiſe for them that they ſhall truly and faithfully obſerve and keep the ſaid pacification, and all articles and conditions thereof, for their parts, and that it would pleaſe her majeſty to interpoſe herſelf, as ſurety and cautioner for them to that effect, to the king's majeſty of Scotland their ſovereign and his ſaid regent, which I have done and promiſe to do, by virtue of her majeſty's commiſſion, as by the honourable and plain dealing of the ſaid earl and lord, their

their intention to peace well appears, the ſame being moſt agreeable to the mind of the queen's majeſty my ſovereign, which ſo long by her miniſters hath travelled for the ſaid pacification, and in the end, at her motion and ſolicitation, the ſame is accorded, knowing her majeſty's deſire, that the ſame may continue unviolate, and that the noblemen and others now returning to the king's obedience ſhall have ſufficient ſurety for their lives, livings, honours and goods. Therefore in her majeſty's name, and by virtue of my commiſſion, I promiſe to the aforeſaid earl Huntly and commendator of Abirbrothock, that by her majeſty's good means, the ſaid remiſſion and diſcharge ſhall be purchaſed and obtained to them, their kinfolks, friends, ſervants, and partakers, now properly depending upon them (the perſons ſpecified in the firſt abſtinence always excepted), as alſo that the ſaid pacification ſhall be truly obſerved to them, and that her majeſty ſhall interpoſe herſelf as conſervatrix thereof, and endeavour herſelf to cauſe the ſame to be truly and ſincerely kept in all points and articles thereof accordingly. In witneſs whereof, I have to this preſent ſubſcribed with my hand, and ſealed the ſame with mine own ſeal the 13th day of Feb. Anno Domini 1572. And this to be performed by me, betwixt the date hereof, and the parliament which ſhall be appointed for their reſtitution, or at the furtheſt before the end of the ſaid parliament. Sic ſubſcribitur.

The biſhop of Glaſgow's note concerning the queen of Scotland's dowry.

THE queen of Scotland, dowager of France, had for her dowry, beſides other poſſeſſions, the dukedom of Turene, which was ſolemnly contracted and given to her by the king and eſtates of parliament; which dukedom ſhe poſſeſſed peacefully till 1567, and then, upon the pacification betwixt the king and Monſ. his brother, to augment whoſe appenage this dutchy was given, to which the queen of Scotland yielded upon account of princes, who were her near relations, provided the equivalent which was promiſed her ſhould be faithfully performed. So that year, after a great many ſolicitations, in lieu of that dutchy, ſhe had granted her the county of Vermandaiſe with the lands and bailiwicks of Seuley and Vetry; tho' 1576. Cott. lib. Calig. B. 4.

'tis known that county, and the other lands were not of equal value with Turene, but was promiſed to have an addition of lands in the neighbourhood to an equal value. Upon this letters patent were granted, which were confirmed in the courts of parliament, chamber of accounts, court of aids, chamber of the treaſury, and others neceſſary; upon which ſhe entered into poſſeſſion of that county, &c. Afterwards, by a valuation of the commiſſioners of the chamber of accounts, it was found that the revenue of that county, &c. did not amount to thoſe of Turene, by 3000 livres. But inſtead of making up this deficiency according to juſtice, ſome of the privy council, viz. M. de Cheverney, the preſidents of Bellievre, Nicocholay and St. Bonet, in the name of the king, notwithſtanding of her aforeſaid loſſes, did ſell and alienate the lands of Senlis, and the dutchy of Eſtaimpes, to Madam de Montpenſier, from whom the king received money; of which ſale the counſellors aforeſaid obliged themſelves to be guarantees, which hath hindered the aforeſaid queen to have juſtice done her. So that Madam de Monpenſier hath been put in poſſeſſion of theſe lands of Senlis, contrary to all the declaration, proteſtation, and aſſurances of the king of France to queen Mary's ambaſſadors. So that the queen of Scotland is diſpoſſeſſed of her dowry, contrary to all equity, without any regard to her quality.

No. VII. (Vol. II. p. 51.)

A letter from the Lord of Lochlevin to the Regent Mortoun.

3d March 1577. E. of Mortoun's Archives. Bund. B. No. 19.

IT will pleaſe your grace, I received your grace's letter, and has conſidered the ſame. The parſon of Camſey was here at me before the receit thereof, directed fra my lord of Mar, and the maſter anent my laſt written, which was the anſwer of the writing that the maſter ſent to me, which I ſend to your grace, deſiring me to come to Sterling to confer with them. I had given my anſwer before the receit of your grace's letter, that I behuiffit to be beſyd Sanct Androis, at ane friends tryſt, which I might not omit: I underſtand by my ſaid couſin, that the king's majeſty is to write to divers of the nobility to come there, anent your lordſhip's trial, and that he had

had written before his departure to my lord Monthrois. I understand, likewise, he will write to your grace to come there for the same effect, which I tho't good to make your grace foreseen of the same, praying your grace, for the love of God Almighty, to look upon the best, and not to sleep in security, but to turn you with unfeigned heart to God, and to consider with yourself, that when the king's majesty was very young, God made him the instrument to divest his mother from her authority, who was natural princess, for offending of his Divine Majesty, and that there ran no vice in her, but that the same is as largely in you, except to that your grace condescended not to the destruction of your wife. For as to harlotry and ambition, I think your grace has as far offended God, and far more in avaritiousness, which vices God never left unplagued, except speedy repentance, which I pray God grant to your grace, for otherwise your grace can never have the love of God nor man. I pray your grace flatter not yourself; for if your grace believes that ye have the good will of them that are the king's good willers ye deceive yourself; for surely I see perfectly that your own particulars are not contented, let be the rest, and that most principally for your hard dealing. I pray your grace, beir with me that I am thus plain, for certainly it proceeds from no grudge, but from the very affection of my heart towards your grace, which has continued since we were acquainted. And now I see, because the matter stands in your grace's handling with the king's majesty, for certainly, if your grace fall forth with him now, I see not how ye shall meet hereafter; pray I your grace to call to God, and look on the best, and cast from your grace both your vices, to wit, ambition and avaritiousness. I am riding this day to Sanct Androis, and trust to return on Wednesday at the farthest. If your grace will command me in any offices that are honest, that I may do your grace pleasure in at Sterling, advertise of your grace's mind, and shall do to my power and knowledge, and this with my heartlie, &c. &c.

To our truſty couſin the lord Lochleven.

From the Original. E. of Morton's Archives, Bund. B. No. 31.

TRUSTY couſin, after our moſt hearty commendations, we received your letter of the 3d of March, and as we take your plainneſs therein in good part, as proceeding from a friend and kinſman, in whoſe good affection towards us we never doubted, ſo ye may not think it ſtrange that we purge ourſelf ſo far of your accuſation, as in conſcience we find not ourſelf to have offended in. As touching our offence to God, we intend not to excuſe it, but to ſubmit us to his mercy; for ambition ſurely we think none can juſtly accuſe us; for in our private eſtate we could, and can live as well contented, as any of our degree in Scotland, without further aſpiring. The bearing too the charge of the government of the realm, indeed, mon lead us, or any other that ſhall occupy that place, not ſimply to reſpect ourſelf, but his majeſty's rowme, which we ſupply, and therein not tranſcending the bounds of meaſure, as, we truſt, it ſhall not be found we have done, it ought not to be attributed to any ambition in us. For as ſoon as ever his majeſty ſhall think himſelf ready and able for his own government, none ſhall more willingly agree and advance the ſame nor I, ſince I think never to ſet my face againſt him, whoſe honour, ſafety, and preſervation has been ſo dear unto me, nor I will never believe to find otherwiſe at his hand than favour, although all the unfriends I have in the earth were about him, to perſuade him to the contrary. As we write unto you, our friendly dealing and confidence in the houſe of Mar is not thankfully acquit; as we truſt yourſelf conſiders; but becauſe the ambaſſadors of England, my lord of Angus, the chancellor, treaſurer, and ſome noblemen rides weſt this day to ſee the king, we pray you heartily addreſs yourſelf to be there as ſoon as ye can, and as ye ſhall find the likelihood of all things, let us be advertized thereof, with your own advice, by Alex^r. Hay, whom we have thought good to ſend weſt, ſeeing my lord of Angus from Sterling rides to Douglas. And ſo we commit you in the protection of God. At Holyrood houſe, the 4th of March, 1577.

FOR the avaritiouſneſs laid to our charge, indeed it lies not in us ſo liberally to deal the king's geare, as to ſatisfy all cravers, nor never ſhall any ſovereign and native born

born prince, let be any officer, eſchew the diſdains of ſuch, as thinks them judges to their own reward; in many cauſes I doubt not to find the aſſiſtance of my friends, but where my actions ſhall appear unhoneſt, I will not crave their aſſiſtance, but let me bear my own burthen.

No. VIII. (Vol. II. p. 79.)

Letter of Walſingham's to Randolph, Feb. 3, 1580-1.

SIR,

I HAVE received from my lord lieutenant the copy of your letter of the 25th of the laſt directed unto his lordſhip, containing a report of your negotiation with the king and his council, in your ſecond audience, wherewith having made her majeſty acquainted, ſhe ſeemed ſomewhat to *miſlike*, that you ſhould ſo long *defer to deal for the enlargement of* Empedocles. But I made anſwer in your behalf, that I thought you were directed by the advice of the ſaid Empedocles *friends*, in the ſoliciting of that cauſe, who knew what time was fitteſt for you to take to deal therein, with moſt effect, and beſt ſucceſs, with which anſwer, her majeſty did in the end reſt very well ſatisfied, touching that point. Cott. Lib. Calig. C. 6.

YOUR putting of us in hope that d'Aubigny might eaſily be won at her majeſty's devotion, was at firſt interpreted to have been ironie ſpoke by you. But ſince it ſeemeth you inſiſt upon it, I could wiſh you were otherwiſe perſuaded of the man, or at leaſt kept that opinion to yourſelf, for conſidering the end and purpoſe of his coming into Scotland, as may be many ways ſufficiently proved, was only to advance the queen's liberty, and reception into that government, to overthrow religion, and to procure a foreign match with Villenarius, wherein the incloſed copy, which you may uſe to good purpoſe there, ſhall partly give you ſome light; there is no man here can be perſuaded that he will change his purpoſe, for ſo ſmall advantage as he is likely to find by it, and therefore you ſhall do well to forbear to harp any more upon that ſtring, as I have already written to you. The prince of Orange ſending, I fear will not be in time that it may do any good; for beſides that theſe people are in themſelves

ſlow in their reſolutions, their own affairs are, at preſent, ſo great, their ſtate ſo confuſed, and the prince's authority ſo ſmall, that he cannot ſo ſoon take order in it; and yet for mine own part, I have not been negligent or careleſs in the matter, having, more than three weeks paſt, ſent one about it, from whom nevertheleſs I do yet hear nothing. The letters, you deſire ſhould be written thither by the French miniſters, I have given order to Mr. Killingrew to procure, who, I doubt not, will carefully perform it, ſo that, I hope, I ſhall have them to ſend you by the next. And ſo I commit you to God. At Whitehall, the 3d of February 1580.

Your very loving couſin and ſervant,

FRA. WALSINGHAM.

This letter is an original, and in ſome parts of it wrote in cyphers and explained by another hand. By Empedocles is underſtood Morton. By Villenarius the king of Scots, D'Aubigney is marked thus O I O

3 Feb. 1580.

Sundry notes gathered upon good diligence given, and in time to be better manifeſted, being now thought meet to be in convenient ſort uſed, and laid againſt D'Aubigny, to prove him abuſing the king, the nobility, and that ſtate,

Cot. Lib. Calig. C. 6. An Original.

FIRST, it hath been informed, by credible means, that D'Aubigney was privy and acquainted with la Navè the king's mother's ſecretary, coming into Scotland, and of his errand there, tending chiefly to perſuade the king, to think and eſteem it an evil preſident for princes, that ſubjects might have power to deprive their lawful ſovereigns, as they did his mother, who was not minded, by any mean, to defeat him, either of the preſent government of that realm, or yet of the poſſeſſion of the crown and inheritance thereof, but rather to aſſure the ſame to him: and that for the accompliſhment of that aſſurance, the king ſhould have been adviſed and drawn to have go-

verned, for ſome ſhort time, as prince, calling D'Aubigny to rule as governor of the prince, by commiſſion from the queen his mother, until the king's enemies were ſuppreſſed; after which time, d'Aubigny ſhould have power given to eſtabliſh and reſign that kingdom to the king, by his mother's voluntary conſent, whereby all ſuch, as had before been in action againſt the queen or her authority, might be brought to ſtand in the king's mercy. And for that the king might live in more ſurety, D'Aubigny ſhould be declared both ſecond perſon in ſucceſſion of that crown, and alſo lieutenant general of Scotland, and that d'Aubigny, before his departure out of France, received commiſſion from the king's mother to the effects remembered, or near the ſame. That in this behalf he had conference with the biſhops of Glaſgow, and Roſs, and with ſir James Baford, with which perſons, and with the duke of Guiſe he had and hath frequent intelligence, and by Sir James Baford he was adviſed to confer with the lord John Hamilton before his repair into Scotland, whereunto he agreed, and yet afterwards he ſent one John Hamilton to the ſaid lord John to excuſe him in this part, alledging, that he did forbear to come to him, leſt thereby he ſhould marr or hinder greater effects to be executed by him in Scotland.

THAT before his coming into that realm, the nobility and country were well quieted and united in good concord, with great love betwixt the king and nobility, and amongſt the nobleſſe, but he hath both drawn the king againſt ſundry of the chiefeſt of his nobility, that have been moſt ready, and have expended their blood and poſſeſſions to preſerve religion, and defend the king's perſon, his government and eſtate, and alſo hath given occaſions of great ſuſpicions and offence to be engendered betwixt the king and his nobility, and eſpecially with ſuch as have been in action againſt the king's mother, and her authority, who by force and means of the ſaid commiſſion and practice, ſhould have been brought into moſt dangerous condition; and who alſo may find themſelves in no ſmall perill while he poſſeſſes the king's ear, abuſeth his preſence, and holdeth ſuch of the principal keys and ports of his realm, as he preſently enjoyeth.

THAT he hath drawn the king not only to forget the great benefits done to him and his realme, by the queen's majeſty of England, but alſo to requite the ſame with

ſundry

ſundry ſigns of great unthankfulneſs, and wounding therewith the honour of her majeſty, and thereby hath adventured to ſhake the happy amity long time continued betwixt thoſe princes.

AND whereas theſe griefs were to be repaired by gentle letters and good offers, to have paſſed, and been done betwixt them: In which reſpect, the king and council having reſolved to write to her majeſty, for her highneſs better ſatisfaction in the late negotiation of Mr. Alexander Hume of Northberwick, had given order to the king's ſecretary to frame that letter: He minding to break the bond of amity in ſunder, willed the ſecretary to be ſure that nothing ſhould be inſerted in that letter, whereby the king ſhould crave any thing at her hands, ſeeking thereby to cut off all loving courteſies betwixt them, as by the declaration of the ſaid ſecretary may be better learned, and thereupon further approved.

THAT under the hope and encouragement of D'Aubigny's protection, Alexander King preſumed with that boldneſs to make his lewd harangue, and by his means hath hitherto eſcaped chaſtiſement and correction, due for his offence.

THAT ſir James Baford, condemned of the ſlaughter of the king's father, hath been called into the realm by Lennox, without the privity of the king. And whereas the ſaid ſir James found in a green velvet deſk, late the earl of Bothwell's, and ſaw and had in his hands the principal band of the conſpirators in that murder, and can beſt declare and witneſs who were authors and executors of the ſame; he is drawn by Lennox to ſuppreſs the truth, and to accuſe ſuch as he himſelf knoweth to be innocent; and as by order of law, will be ſo found, if they may have due trial, which, contrary to all juſtice, is by Lennox means denied.

This is the charge againſt D'Aubigny, mentioned in the foregoing letter by Walſingham; but by Baford they mean ſir James Balfour.

No. IX.

No. IX. (Vol. II. p. 97.)

The copy of the king of France his directions ſent to Scotland with Seineur de la Motte Fenelon. Tranſlated out of the French.

FIRST, on their moſt chriſtian majeſty's part, he ſhall make the moſt honourable ſalutation and viſiting to the moſt ſerene king of Scotland, their good brother and little ſon, that in him is poſſable. Calderw. MS. Hiſtory, Vol. 31. p. 208.

To give him their letters that are cloſed, ſuch and ſuch like as they have written to him with their hands, and to ſhow expreſly the perfect friendſhip and ſingular affection, that their majeſtys bear to him, and to bring back the anſwer.

To take heed to the things which touch near the moſt ſerene king, to the effect that his perſon may be in no danger, but that it may be moſt ſurely preſerved.

And that he be not hindered in the honeſt liberty that he ought to have, and that no greater, or ſtraiter guards be about him than he had before.

And ſuch like, that he be not impeached in the authority, that God hath given to him of king and prince ſovereign above his ſubjects, to the effect he may as freely ordain and command in his affairs, and in the affairs of his country, with his ordinary council, as he was uſed to do of before.

That his nobility, barons, and commonality of his country may have their free liberty to reſort to his ſerene majeſty without ſuſpicion of greater guards or more armed men about his perſon than the uſe was, that they be not affraid and hindered to reſort; and further that the ſegnieur de la Motte Fenelon ſall liberally and freely ſpeak to the ſaid ſerene king and council, requiring the re-eſtabliſhing of that that may or hath been changed or altered.

And that he may know if the principalls of the nobility, and other men of good behaviour of the towns and commonality of the contry conveens, and are content with the form of government preſently with the ſaid ſerene king, to the end that if there be any miſcontent he may travaile to agree them together, and that he return not without the certainty of the ſamine.

And if he may underſtand that there be any who have not uſed them ſo reverently towards the ſaid ſerene king their ſovereign lord, as the duty of their obedience required, that he may pray on this behalf of his majeſty moſt chriſtian the ſaid ſerene king his good brother, giving him councill wholly to forget the ſame, and exhorting them to do their duty towards his majeſty, in time coming, in all reſpects with the obedience and true ſubjection they ought him.

And if the ſaid ſeigneur de la Motte perceves the ſaid ſerene king to be in any manner conſtrained of his perſon, authority, liberty, and diſpoſition of his affairs, than he uſed to be, and not convenient for his royal dignity, or as the ſovereignty of a prince does require, that he uſe all moyen lawful and honeſt to place him in the ſamine, and that he imploy as much as the credit of his moſt chriſtian majeſty may do toward the nobility, and ſubjects of that contry, and as much as may his name, with the name of his crown towards the Scottiſh nation, the which he loves and confides in as much as they were proper Frenchmen.

And that he wittneſs to the ſaid ſerene king, and his eſtates, of his conſent, and to all the nobility and principall perſonages of the contry, that his moſt Chriſtian majeſtie will continue on his part in the moſt ancient alliance and confederacy, which he hath had with the ſaid ſerene king his good brother, praying his nobility and contry, with his principall ſubjects, to perſevere in the ſamine, in all good underſtanding and friendſhip with him; the which, on his part, he ſhall do, obſerving the ſamine moſt inviolable.

Further his moſt chriſtian majeſty underſtanding that the ſerene king his good brother was contented with the duke of Lenox, and his ſerviſe, the ſaid ſignieur De la Motte had charge to pray his ſerene majeſty that he might remaine beſide him to his contentment, believing that he ſhould more willing intertain the points of love and confederacie, betwixt their majeſtys and their contrys, becauſe he was a good ſubject to them both; and if he might not remain, without ſome alteration of the tranquility of his eſtate, that he might retire him to his own houſe in the ſaid contry, in ſurenes, or if he pleaſed to return to France that he might ſurely —— and if it pleaſes his ſerene majeſty, to cauſe ceaſe and ſtay the impeachments,

ments, that are made of new upon the frontiers, to the effect that the natural Frenchmen may enter as freely into the contry, as they were wont to do of before.

And that there may be no purpose of diffamation, nor no speech but honourable of the most Christian king, in that contry, but such like as is spoken most honourably of the serene king of Scotland in France.

He had another head to propone, which he concealed till a little before his departure, to wit, that the queen, the king's mother, was content to receive her son in association of the kingdom.

No. X. (Vol. II. p. 115.)

Lord Hunsdon to Sir Francis Walsingham, the 14th of August 1584, from Berwick.

SIR,

ACCORDING to my former letters, touching my meeting with the earl of Arran upon Wednesday last, there came hither to me from the earle, the justice clerk, and Sir William Stuart, captain of Dumbarton, both of the king's privie council, to treat with me about the order of our meeting, referring wholly to me to appoint the hour, and the number we should meet withal; so as we concluded the place to be Foulden, the hour to be ten o'clock, and the number with ourselves to be 13 of a side; and the rest of our troops to stand each of them a mile from the town; the one on the one side, the other on the other side, so as our troops were two miles asunder; I was not many horsemen, but I supplied it with footmen, where I had 100 shot on horse, but they were very near 500 horse well appointed: According to which appointment, we met yesterday, and after some congratulations, the erle fell in the like protestations of his good will and readiness to serve the queen's majesty, before any prince in the world, next his sovereign, as he had done heretofore by his letters, and rather more; with such earnest vows, as unless he be worse than a devil, her majesty may dispose of him at her pleasure; this being ended, I entered with him touching the cause I had to deal with him, and so near as I could, left nothing unrehearsed, that I had to charge the king or him with any unkind dealing toward her

Calderw. MS. History, vol. 3. p. 374.

her majeſty, according to my inſtructions, which without any delay he anſwered preſently, as ye ſhall perceive by the ſaid anſwers, ſent herewith; but I replying unto him, he amplified them with many moe circumſtances, but to this effect. Then I dealt with him touching the point of her majeſty's ſatisfaction, for the uttering ſuch practices as has been lately ſet on foot for the diſquieting of her majeſty and her eſtate, who thereof made ſundry diſcourſes, what marriages have been offered to his majeſty by ſundrie princes, and by what means the earle has ſought to divert them, and for what cauſes; the one, for that be marriage with Spain or France, he muſt alſo alter his religion, which as he is ſure the king will never doe, ſo will he never ſuffer him to hearken unto it, ſo long as he has any credit with him; he denys not but the king has been dealt withal be practices to deal againſt her majeſty, which he has ſo far denied and refuſed to enter into, as they have left dealing therein, but whatſoever the king or he knoweth therein there ſhall be nothing hidden from her majeſty, as her majeſty ſhall know very ſhortly; ſurely it ſeems by his ſpeeches, that if the king would have yielded thereunto there had been no ſmall company of French in Scotland ere now to diſquiet her majeſty.——This being ended, I dealt with him earneſtly for the ſtay of this parliament, which now approacheth; or at the leaſt that there may be nothing done therein, to the prejudice of theſe noblemen and others now in England, for the forfaulting of their livings and goods; hereupon he made a long diſcourſe to me, firſt of the earl of Angus dealing about the earl of Morton, then of his going out, notwithſtanding of ſundrie gracious offers the king had made him, then of the road of Ruthven, how that preſently after they had the king's majeſty in their hands, they impriſoned himſelf, dealt with the king for putting of the duke out of the realme, the king refuſed ſo to do, they told him plainly that if he would not he ſhould have the earl of Arran's head in a diſh; the king aſked what offence the earl had made? and they anſwered it muſt be ſo, and ſhould be ſo; hereupon, for the ſafeguard of Arran's life, the king was content to ſend away the duke, and yet Arran afterwards ſundrie times in danger of his life; I alledged unto him the king's letter to the queen's majeſty, and his acts in council, that they had done nothing but for his ſerviſe, and with his good liking and contentment,

who

who anſwered me he durſt do no otherwiſe, nor could not do any thing but that which pleaſed them, with ſuch a number of other their dealings with the king whileſt he was in their hands as are too long to be written, and too bad if they were true; I ſaid the king might have let the queens majeſty's ambaſſador have known his mind ſecretly, and her majeſty would have relieved him; he anſwered, that the king was not ignorant that the apprehenſions in that manner, proceeded from Mr. Bow's practice, and thereby durſt not impart ſo much to him, and yet the king was content, and did give remiſſion to as many as would acknowledge their faults, and aſk remiſſion, and ſuch as would not, he thought fit to baniſh, to try their further loyalty, in which time they conſpired the king's ſecond apprehenſion, and the killing of the earle, and others, and ſeduced the miniſters to their faction, and yet not ſatisfied with theſe conſpiracies and treaſonable dealings (as he terms them), are entered into a third, being in England under her majeſty's protection, to diſhonour her majeſty as far as in them lyeth, or at leaſt to cauſe the king conceave ſome unkindneſs in her majeſty, for harbouring of them; I wrote to yow what the conſpiracy was, the taking of the king, the killing of the earle of Arran, and ſome others, the taking of the caſtle of Edin^r. and bringing home the earles, to take the charge of the king; all which (ſays he) is by Drummond confeſſed, and by the provoſt of Glencudden not greatly denied, and the conſtable of the caſtle thereupon fled; the earl brought Drummond with him as far as Langton, where he lay, to have confeſſed the conſpiracy before me, but having at his lighting received a blow on his leg with a horſe, ſo as he could bring him no further, I replied that I thought verily they would not work any ſuch practices in reſpect of the queen's majeſty, abiding within her realme, and if there be any ſuch practices, they have proceeded from others, and they not privie unto them: and that if it be not apparently proved againſt them, that it will be thought to be ſome practice to aggravate the fault, and to make them the more odious to the king. He anſwered me, that it ſhould be proved ſo ſufficiently, that they ſhould not be able with truth to deny it, for their own hands is to be ſhowed to part of it, and therefore concluded, that if her majeſty ſhould ſo preſs the king for them at this time, that would rather hinder this matter of the amitty, nor further

further it, and that ſince they ſeek chiefly his life, he could not, in any reaſon, ſeek to do them any good; and beſides he aſſured me, that if he would, he dare not, this laſt matter being fallen out as it is; and ſurely if this matter had not fallen out, I would not have doubted the reſtoring of the earl of Mar very ſhortly, if her majeſty would have employed me therein, but for the earl of Angus, I perceive the king is perſuaded that both he, and the reſt of the Douglaſſes, have conceived ſo mortall an hatred againſt him and the earl of Arran, about the death of the earl of Morton, as if they were at home, to-morrow next, they would not leave to practice and compire the death of them both, and therefore a hard matter to do any thing for him: finally, he concluded and required me to aſſure her majeſty from the king, that there ſhall nothing be hid from her, nor any thing left undone that may ſatisfie her majeſty with reaſon, and that the king ſhall never do any thing, nor conſent to have any thing done in her prejudice, ſo long as he had any credit with him, or authority under him. Having this far proceeded, he deſired to ſhew me his commiſſion, which is under the great ſeal, to himſelf only, which is as large as may be, and yet ſundrie of the privie council there with him, but not one in commiſſion, nor preſent, nor near us all this time having ſpent almoſt five hours in theſe matters; he preſented to me the maſter of Gray, who delivered to me a letter from the king in his commendation, whom I perceive the king means to ſend to her majeſty, and therefore requires a ſafe-conduct for his paſſage, which I pray yow procure, and to ſend it as ſoon as you may. I let him underſtand of the lord Seaton's negociation with the French king. He ſwore to me, that Seaton was but a knave, and that it was partly againſt his will, that he ſhould be ſent thither. But his commiſſion and inſtruction being of no great importance, he yielded the ſooner; and if Seaton has gone beyond his inſtructions, which Arran drew himſelf, he will make Seaton ſmart for it. Touching William Newgate, and Mark Golgan, he proteſted he never heard of any ſuch; he ſays there was a little poor ſoul, with a black beard, come thither a begging, who ſaid he was an enemy to Deſmond, to whom he gave a croun, but never heard of him ſince, and for any Scots man going into Ireland, he ſays there is no ſuch matter; if there be, there may be ſome few raſkals that he knows not of; and touch-

touching the coming of any Jeſuits into Scotland, he ſays it is but the ſlanderous deviſe of the king's enemys, and ſuch as would have the world believe the king were ready to revolt in religion, who the world ſhall well ſee will continue as conſtant therein, as what prince ſoever profeſſed it moſt; and the earl himſelf dos proteſt to me, that to his knowledge, he never ſaw a jeſuit in his life, and did aſſure me if there was any in Scotland, they ſhould not do ſo much harm in Scotland, as their miniſters would do, if they preach ſuch doctrine as they did in Scotland; and touching one Ballenden, of whom I wrote to yow, I heard from Mr. Colvill, the earle avows conſtantly that he knows not, nor hath not heard of any ſuch man, but he would inquire at the juſtice clerk, and would inform me what he could learn of that; thus I have made yow as ſhort a diſcourſe as I can of ſo many matters, ſo long diſcourſed upon, but theſe are the principal points of all our talk, ſo near as I can remember it, and for this time I commit yow to the Almighty. At Berwick the 14th of Auguſt, 1584.

The king is very deſirous to have my ſon Robert Cary to come to him. I pray yow know her majeſty's pleaſure.

Arran's Anſwers to the grieffs or articles proponed to the lord Hunſdon, ſet down in another form.

AS to the ſtrait and ſevere perſecution of all ſuch, as have been noted to have been well affected to the queen's majeſty, it cannot appear they were either for that cauſe puniſhed, or hardly dealt with, ſince his majeſty of late has been ſo careful and diligent to choice out good inſtruments to deal betwixt her majeſty and him, as his majeſty has done in electing of your lordſhip and me; beſides that in all their accuſations, their good will and affection born to her majeſty was, at no time, laid to their charge, but capital actions of treaſon many way tried now be the whole three eſtates, and more than manifeſt to the world.

As for his majeſty inhibiting, by publick proclamation, ſuch as were baniſhed, not to repair in England; the bruits and whiſperings that came to his majeſty's ears, of their conſpiracies and treaſons, which ſince ſyn they ac-

compliſhed, ſo far as in them lay, moved his majeſty to inhibit them to repair to any place, ſo near his majeſty's realm, leſt they ſhould have attempted theſe things, which ſhortly they did atten pt, being farther off, and more diſtant both by ſea and land.

As for reception of jeſuits, and others, her majeſty's fugitives, and not delivering them according to his promiſe, as your lordſhip propones, his majeſty would be moſt glad that ſo it might fall out by your lordſhip's traviles, that no fugitive of either realme ſhould be received of either, and when ſo ſhall be, it ſhall not fail on his majeſty's part, albeit in very deed this time bygone his majeſty has been conſtrained to receipt her majeſty's mean rebells and fugitives, contrar his good naturall, ſince her majeſty hath receipt, in effect, the whole and greateſt rebells and traitors his majeſty in his own blood ever had; as for the agreement with his majeſty's mother anent their aſſociation, his majeſty has commanded me, in preſence of your lordſhip's ſervant, to aſſure her majeſty and your lordſhip, in his majeſty's name, that it is altogether falſe, and an untruth, nor any ſuch like matter done yet.

His majeſty has alſo commanded me to aſſure your lordſhip, that it is alſo falſe and untrue, that his majeſty has, by any means direct or indirect, ſent any meſſage to the pope, or received any from him; or that his majeſty has dealt with Spain or any foreigners, to harm her majeſty or her realm, which his majeſty could have no honour to do, this good intelligence taking place, as I hope in God it ſhall.

As concerning the contemptuous uſage of her majeſty's miniſters, ſent unto his majeſty, his majeſty uſed none of them ſo; and if his majeſty had, ſufficient cauſe was given by them, as ſome of their own writs do yet teſtify; as I more particularly ſhowed your lordſhip at Foulden at our late meeting.

No. XI. (Vol. II. p. 119.)

The Scottiſh queen's offers upon the effect of her liberty propounded by her ſecretary Naw, November 1584.

Cott. Lib. Calig. C. 8. A Copy.

THE queen my miſtreſs being once well aſſured of your majeſty's amity,

1. Will

1. WILL declare openly that ſhe will (as it is ſincerely her meaning) ſtraitly to join unto your majeſty, and to the ſame to yield and bear the chief honour and reſpect, before all other kings and princes in Chriſtendom.

2. SHE will ſwear, and proteſt ſolemnly, a ſincere forgetfulneſs of all wrongs which ſhe may pretend to have been done unto her in this realm, and will never, in any ſort or manner whatſoever, ſhew offence for the ſame.

3. SHE will avow and acknowledge, as well in her own particular name, as alſo for her heirs and others deſcending of her for ever, your majeſty, for juſt, true, and lawful queen of England.

4. AND conſequently, will renounce, as well for herſelf, as for her ſaid heirs, all rights and pretences which ſhe may claim to the crown of England, during your majeſty's life, and other prejudice.

5. SHE will revoke all acts and ſhews, by her heretofore made, of pretence to this ſaid crown to the prejudice of your majeſty, as may be the taking of the arms and ſtile of queen of England, by the commandment of king Francis her late lord and huſband.

6. SHE will renounce the pope's bull for ſo much as may be expounded to turn in her favour, or for her behoof, touching the deprivation of her majeſty, and will declare that ſhe will never help and ſerve herſelf with it.

7. SHE will not proſecute, during your majeſty's life, by open force or otherways, any publick declaration of her right in the ſucceſſion of this realm, ſo as ſecret aſſurance be given unto her, or at the leaſt publick promiſe, that no deciding thereof ſhall be made in the prejudice of her, or of the king her ſon, during your majeſty's life, not after your deceaſe, until ſuch time as they have been heard thereupon, in publick, free, and general aſſembly of the parliament of the ſaid realm.

8. SHE will not practiſe, directly or indirectly, with any of your majeſty's ſubjects, neither within nor out of your realm, any thing tending to war, civil or foreign, againſt your majeſty and your eſtate, be it under pretext of religion, or for civil and politick government.

9. SHE will not maintain or ſupport any of your ſubjects declared rebels, and convicted of treaſon againſt you.

10. She will enter into the aſſociation, which was ſhewed her at Wingfield for the ſurety of your majeſty's life, ſo as there be mended or right explicated ſome clauſes, which I will ſhew to your Majeſty, when I ſhall have the copy thereof, as I have before time required.

11. She will not treat with foreign kings and princes, for any war or trouble againſt this ſtate, and will renounce, from this time, all enterpriſes made or to be made in her favour for that reſpect.

12. Furthermore, this realm being aſſailed by any civil or foreign war, ſhe will take part with your majeſty, and will aſſiſt you in your defence with all her forces and means, depending of herſelf and with all her friends of Chriſtendom.

13. And to that effect, for the mutual defence and maintenance of your majeſty, and the two realms of this iſle, ſhe will enter with your majeſty in a league defenſive, as ſhall be more particularly adviſed, and will perſwade as much as in her, the king her ſon to do the like.

The leagues with all parts abroad remaining firm, and eſpecially the antient league between France and Scotland, in that which ſhall not be againſt this preſent.

14. She will enter into a league offenſive, having good aſſurance, or ſecret declaration and acknowledgement of her right in the ſucceſſion of this crown, and promiſe, that happening any breach betwixt France and this realm, (which ſhe prayeth God never to happen) the juſt value of her dowry ſhall be placed for her in lands of the revenue of the crown.

15. For aſſurance of her promiſes and covenants, ſhe doth offer to abide herſelf in this realm for a certain time, (better hoſtage can ſhe not give than her own perſon) which, ſo as ſhe be kept in the liberty here before propounded, is not in caſe to eſcape ſecretly out of this country, in the ſickly ſtate ſhe is in, and with the good order which your majeſty can take therein.

16. And in caſe your majeſty do agree to her full and whole deliverance, to retire herſelf at her will out of this realm, the ſaid queen of Scots ſhe will give ſufficient hoſtage for ſuch time as will be adviſed.

17. If ſhe abide in this realm, ſhe will promiſe not to depart out of it, without your licence, ſo as it be promiſed unto her that her ſtate, in ſuch liberty as ſhall be accorded unto her, ſhall not be in any ſort altered, untill after

after tryall to have attempted againſt your life, or other trouble of your eſtate.

18. If ſhe go into Scotland, ſhe will promiſe to alter nothing there in the religion which is now uſed there, ſhe being ſuffered to have free exerciſe of hers, for her and her houſhold, as it was at her return out of France; and further, to pull out every root of new diviſion between the ſubjects, that none of the ſubjects of Scotland ſhall be ſifted for his conſcience, nor conſtrained to go to the ſervice of the contrary religion.

19. She will grant a general abolition of all offences done againſt her in Scotland, and things ſhall remain there as they are at this preſent, for the reſpect, ſaving that which hath been done againſt her honour, which ſhe meaneth to have revoked and annulled.

20. She will travel to ſettle a ſure and general reconciliation between the nobility of the country, and to cauſe to be appointed about the king her ſon, and in his council, ſuch as ſhall be fit for the entertainment of the peace and quiet of the country, and the amity of the realm.

21. She will do her beſt to content your majeſty, in favour of the Scots lords baniſhed and refuged hither, upon their due ſubmiſſion to their princes, and your majeſty's promiſe to aſſiſt the ſaid queen and king of Scotland againſt them, if they happen to fall into their former faults.

22. She will proceed to the marriage of the king her ſon, with the advice and good council of your majeſty.

23. As ſhe will paſs nothing without the king her ſon, ſo doth ſhe deſire that he intervene conjointly with her in this treaty, for the greater and perfecter aſſurance thereof; for otherwiſe any thing can hardly be eſtabliſhed to be ſound and continue.

24. The ſaid Scotch queen truſteth, that the French king, her good brother, according to the good affection which he hath always ſhewed her, and hath been afreſh teſtified unto me by Monſr. de Manniſſiere for this ſaid treaty, will very willingly intervene, and will aſſiſt her for the ſurety of her promiſes.

25. And ſo will the princes of the houſe of Lorrain, following the will of the ſaid king, will bind themſelves thereunto.

26. For other kings and princes of Chriſtendom, ſhe will aſſay to obtain the like of them, if for greater ſolemnity

lemnity and approbation of the treaty it be found to be neceſſary.

27. She doth deſire a ſpeedy anſwer, and final concluſion of the premiſes, to the end to meet in time with all inconveniencies.

28. And in the mean time, the more to ſtrengthen the ſaid treaty, as made by her of a pure and frank will, ſhe deſireth that demonſtration be made of ſome releaſement of her captivity.

Objections againſt the Scottiſh queen, under ſecretary Walſinghame's hand, November 1584.

THE queen of Scots is ambitious, and ſtandeth ill affected to her majeſty, and therefore it cannot be but that her liberty ſhould bring peril unto her majeſty.

That her enlargement will give comfort to papiſts, and other ill affected ſubjects, and greatly advance the opinion had of her title as ſucceſſor.

That as long as ſhe ſhall be continued in her majeſty's poſſeſſion, ſhe may ſerve as it were a gage of her majeſty's ſurety, for that her friends, for fear of the danger ſhe may be thrown into, in caſe any thing ſhould be done in her favour, dare not attempt any thing in the offence of her majeſty.

November 1584. What courſe were fit to be taken with the queen of Scots, either to be enlarged or not.

Cott. Lib. Cal. B.

THE courſe to be taken with the ſaid queen may be conſidered of in three degrees; either,

1. To continue her under cuſtody in that ſtate ſhe now is,

2. To reſtrain her of the preſent liberty ſhe now hath.

3. Or to ſet her at liberty upon caution.

1. Touching the firſt, to continue her under cuſtody in that ſtate ſhe now is; it is to be conſidered, that the princes that favour that queen, upon the complaint ſhe maketh of hard uſage, are greatly moved with commiſeration towards her, and promiſe to do their endeavour for her liberty, for which purpoſe her miniſters ſolicit them daily.

And to move them the more to pity her caſe, ſhe acquainteth them with her offers made to her majeſty, which appeared to be no leſs profitable than reaſonable for her majeſty, ſo as the refuſal and rejecting giveth her friends and favourers cauſe to think her hardly dealt withal, and therefore may, with the better ground and reaſon, attempt ſomewhat for the ſetting of her at liberty.

It is alſo likely that the ſaid queen, upon this refuſal, finding her caſe deſperate, will continue her practice under hand, both at home and abroad, not only for her delivery, but to attain to the preſent poſſeſſion of this crown upon her pretended title, as ſhe had hitherto done, as appeareth, and is moſt manifeſt by letters and plots intercepted, and chiefly by that late alteration of Scotland, which hath proceeded altogether by her direction, whereby a gap is laid open for the malice of all her majeſty's enemies, ſo as it appeareth that this manner of keeping her, with ſuch number of perſons as ſhe now hath, and with liberty to write and receive letters (being duly conſidered), is offenſive to the princes, the ſaid queen's friends; rather chargeable, than profitable to her majeſty; and ſubject to all ſuch practices as may peril her majeſty's perſon or ſtate, without any proviſion for her majeſty's ſafety, and therefore no way to be liked of.

2. Touching the ſecond, to reſtrain her in a more ſtraighter degree of the liberty ſhe hath hitherto enjoyed.

It may at firſt ſight, be thought a remedy very apt to ſtop the courſe of the dangerous practices foſtered heretofore by her: For, true it is, that this remedy might prove very profitable, if the realm of Scotland ſtood in that ſort devoted to her majeſty, as few years paſt it did; and if the king of that realm were not likely, as well for the releaſe of his mother, as for the advancement of both their pretended titles, to attempt ſomewhat againſt this realm and her majeſty, wherein he ſhould neither lack foreign aſſiſtance, nor a party here within this realm: But the king and that realm ſtanding affected as they do, this reſtraint, inſtead of remedying, is likely to breed theſe inconveniencies following:

First, it will increaſe the offence both in him, and in the reſt of the princes her friends that miſliked of her reſtraint.

Secondly, It will give them juſt cauſe to take ſome way of redreſs.

Lastly, It is to be doubted, that it may provoke ſome deſperate ill-diſpoſed perſon, all hope of her liberty removed, to attempt ſomewhat againſt her majeſty's own perſon (a matter above all others to be weighed), which inconveniency being duly conſidered, it will appear manifeſtly, that the reſtraint, in a ſtraighter degree, is likely to prove a remedy ſubject to very hard events.

The latter degree, whether it were fit to ſet the ſaid queen at liberty, miniſtreth ſome cauſe of doubt, touching the manner of the liberty, in what ſort the ſame is to be performed, whether to be continued here within the realm, or to be reſtored into her own country.

But firſt, this propoſition, before the particularities be weighed, is to be conſidered in generality.

For it is very hard for a well-affected ſubject, that tendereth her majeſty's ſurety, and weigheth either the nature of the Scottiſh queen, being inclined to ambition and revenge, or her former actions, what practices ſhe hath ſet on foot moſt dangerous for her majeſty and this realm, to allow of her liberty, being not made acquainted with ſuch cauſes, as time hath wrought, to make it leſs perilous than it hath been, nor with ſuch cautions as may, in ſome ſort, be deviſed to prevent both her ambition and malice; and therefore, to make this apparent,

It is to be conſidered, that the danger that was in the mother, is now grown to be in the ſon. He pretendeth the ſame title ſhe doth: Such as do affect her, both at home and abroad, do affect him (and he is the more dangerous for that he is unmarried, which may greatly advance his fortune; and that he is a man, whereby he may enter into action in his own perſon); where ſhe is reſtrained, he is at liberty; his own realm is now altogether at his devotion, and the party affected to this crown abaſed; ſo as the matter duly conſidered, neither her liberty nor reſtraint doth greatly alter the caſe for perils towards her majeſty, unleſs by ſuch promiſes as may be made by way of treaty with her, the danger likely to grow from the king her ſon to be provided for.

But in this behalf it may be objected, that ſo long as the mother remains in her majeſty's hands, the king will attempt nothing for fear of his mother's peril.

To

To this objection it may be answered, first, That they hope that her majesty, being a prince of justice, and inclined to mercy, will not punish the mother for the son's offence, unless she shall be found, by good proof, culpable. Secondarily, That men will not be over-hasty, considering in what predicament the king standeth touching his expectation of this crown, to advise any thing that in time future may be dangerous to the giver of such council as may reach to his mother's peril.

And lastly, the taking away of his mother, he being strong in the field through both foreign assistance, and a party here within the realm, will appear so weak a remedy (which may rather exasperate both him, and her party, to proceed with more courage and heat to revenge, if any such hard measure should be offered unto her), as they will suppose for the reason above specified, that no such extremity will be used.

It may also be objected, that the setting of her at liberty will greatly encourage the papists both at home and abroad; but herein, if the provision be duly considered, that may be made by parliament both here and there, they shall rather find cause of discomfort than otherwise.

These two doubts being resolved, and the perils that was in the mother appearing most manifestly to be seen in the son accompanied with more danger, with due consideration had also of such remedies as may be provided for the preventing of the dangers, that her liberty may minister just cause to doubt of; there will be good cause of hope found, that the same will rather breed benefit than perils.

Now it resteth, in what sort the said liberty shall be performed; if it shall be thought meet she shall be continued within the realm with some limitation, especially in that place where she now resideth, the country round about being so infected in religion as it is, it is greatly to be doubted that will very much increase the corruption, and falling away in that behalf. Besides, she should have commodity, with much more ease, and speed, to entertain practices within this realm, than by being in her own country.

If abroad freely without limitation either in Scotland or France, then shall her majesty lose the gages of her safety, then shall she be at hand to give advice in furtherance

ance of ſuch practices, as have been laid for to ſtir trouble in this realm, wherein ſhe hath been a principal party.

For the firſt, it is anſwered before, that the reſpect of any perils that may befal unto her, will in no ſort reſtrain her ſon. For the other, if it be conſidered what harm her advice will work unto herſelf, in reſpect of the violation of the treaty, and the proviſion that may be made in parliament here, it is to be thought, that ſhe will then be well adviſed, before ſhe attempt any ſuch matter, which now ſhe may do without perill. Beſides ſuch princes, as have interpoſed their faith and promiſe for her, cannot with honour aſſiſt her, wherein the French king will not be found very forward, who, in moſt friendly ſort, hath lately rejected all ſuch requeſts, propounded either by her, or her ſon's miniſters, that might any way offend her majeſty. And ſo to conclude, ſeeing the cauſe of her grief ſhall be taken away; the French king gratified, who is a mediator for her, and will miſlike, that, by any Spaniſh practice, ſhe ſhould be drawn to violate her faith, that the reſt of the princes ſhall have no juſt cauſe of offence, but rather to think honourably of her majeſty conſidering the Scottiſh queen's carriage towards her, which hath deſerved no way any ſuch favour; the noblemen of Scotland ſhall be reſtored, who will be a good ſtay of ſuch counſells as may tend to the troubling of this realm, eſpecially having ſo good a ground of warrant as the parliament to ſtand unto; the charges and perills which her practices might have bred to this realm ſhall be avoided; and laſtly, the hope of the papiſts ſhall be taken away, by ſuch good proviſions, as in both the realms may be made, whereby the perills that might fall into her majeſty's own perſon, (a matter of all others to be weighed) ſhall be avoided, when by the change that may grow by any ſuch wicked and ungodly practice, they ſhall ſee their caſe no way relieved in point of religion.

Reaſons to induce her majeſty to proceed in the treaty under Secretary Walſingham's hand.

Cot. Lib. Cal. C. 8.

THAT ſuch plots as have of late years been deviſed (tending to the raiſing of trouble within this realm) have grown from the Scots queen's miniſters, and favourers, not without her allowance and ſeeking: Or,

THAT

THAT the means uſed by the ſaid miniſters, to induce princes to give ear to the ſaid plots, is principally grounded upon ſome commiſeration had of their reſtraint.

THAT the ſtay, why the ſaid plots have not been put in execution, hath proceeded, for that the ſaid princes have, for the moſt part, been entertained with home and domeſtick troubles.

THAT it is greatly to be doubted, that now their realms begin to be quiet, that ſomewhat will be attempted in her favours by the ſaid princes.

THAT it is alſo to be doubted, that ſomewhat may be attempted by ſome of her fautors in an extraordinary ſort, to the perill of her majeſty.

THAT for the preſervation thereof, it ſhall be convenient for her majeſty to proceed to the finiſhing of the treaty, not long ſithence begun between her and the ſaid queen.

No. XII. (Vol. II. p. 129.)

Letter of Q. Mary to Q. Elizabeth.

Madame ma bonne Seur,

M'Aſſeurant que vous avez eu communication d'une lettre de Gray que voſtre homme Semer me livra hier ſoubz le nom de mon filz y recongnoiſſant quaſi de mot a la mot leſs meſmes raiſons que le dit Gray m'eſcrivit en chifre eſtant dernierement pres de vous deſmontrant la ſuffiſance & bonne intention du perſonage je vous prieray ſeulement ſuivant ce que ſi devant je vous ay tant inſtantement importuné que vous me permettiez deſclaircir librement & ouvertement ce point de l'aſſociation d'entre moy & mon filz & me deſſier les mains pour proceder avec lui comme je jugeray eſtre requis pour ſon bien & le mien. Et j'entreprendz quoi que l'on vous die & puiſſe en rapporter de faire mentir ce petit bruillon qui perſuadé par aucuns de vos miniſtres a enterpris cette ſeparation entre moy & mon enfant, & pour y commencer je vous ſupplie m'octroyer qui je puiſſe parler a ce juſtice clerk qui vous a eſte nouvellement envoyé pour mander par luy a mon filz mon intention ſur cela, ce qui je me promis que ne ma refuſerez, quant ce ne ſeroit que pour demontrer en effect la bonne intention que vous m'avez aſſeurée avoir

Cott. Lib. Col. B. VIII. Fol. 147. An original.

avoir a l'accord & entretien de naturel devoir entre la mere & l'enfant qui dit en bonnes termes eſtre empeſche pour vous me tenant captive en un deſert ce que vous ne pourrez mieux deſmentir & faire paroitre voſtre bon deſir a notre union que me donnant les moyens d'y proceder, & non m'en retenir & empeſcher comme aucune de vos miniſtres pretendent a fin de laiſſer toujours lieu a leur mauvais & ſiniſtres practiques entre nous. La lettre porte que l'aſſociation n'eſt pas paſſée, auſſi ne luy ai je jamais dit, bienque mon filz avoit accepté; & que nous en avions convenu enſemble, comme l'acte ſigné de ſa main, & ces lettres tant a moy, que en France en font foy, ayant donne ce meme temoignage de ſa bouche propre a pluſieurs ambaſſadeurs & perſonnes de credit, s'excuſant de ne l'oſer faire publier par craint de vous ſeulement, demandant forces pour vous reſiſter d'avant de ce declarer ſi ouvertement eſtant journellement perſuade au contraire par vos miniſtres qui luy prometoyent avecque une entreire a Yorck le faire declarer votre heretier. Au ſurplus Madame quand mon enfant feroit ſi malheureux que de s'opiniaſtrer en cette extreme impieté & ingratitude vers moy, je ne puis penſer que vous non plus qu'aucun aultre prince de la Chretienté le vouliſſiez eu cela applaudir ou meintenir pour luy fayre acquerir ma malediction ains que plutos *introviendrez* pour luy faire recongnoitre la raiſon trop juſte & evidant devant Dieu & les hommes. Helas & encores ne luy vouloier j'en ofter, mays donner avec droit ce qu'il tient par uſurpation. Je me ſuis du tout commiſe a vous, & fidelement faites ſi il vous pleſt que je ne en ſoye pis qu'aupravant, & que le faulſete des uns ne prevale deſvant la verite vers vous, pour bien recevant mal, & la plus grande affliction que me ſcaurroit arriver a ſcavoir la perte de mon fils. Je vous ſupplie de me mander en cas qu'il perſiſte en cette m'eſconnoiſſance de ſon devoir, que de luy ou de moy il vous plaiſt advouer pour legittime roy ou royne d'Ecoſſe, & ſi vous aves agreable de pourſuivre avec moy a part la traité commencé entre nous de quoy je vous requiers ſans plus attendre de reſponſe de ce mal gouverné enfant vous en requerrant avec autant d'affection que je ſens mon cœur oppreſſé d'ennuy. Pour Dieu ſouvenez vous de la promeſſe que m'avez faites de me prendre en votre protection me raportant de tout a vous, & ſur ce prian. Dieu qu'il vous viueille preſerver de touts vos ennemys & diſſimulez amys, comme je le deſire de me

conſoler

conſoler & de me venger de ceulz qui pourchaſſent un tel malheur entre la mere & l'enfant. Je ceſſeray de vous troubler, mais non a m'ennuier que je ne recoive quelque conſolation de vous & de Dieu encore un coup je le ſupplie de vous garder de tout peril. Futhbery XII Mars.

Votre fidelement voueé ſœur
& obeiſſant couſine,

MARIE Q.

A la reyne d'Angletterre
madame ma bonne ſœur
& couſine.

No. XIII. (Vol. II. p. 130.)

A Teſtament by Q. Mary.

N. B. The following paper was tranſcribed by the revd. Mr. Crawford late regius profeſſor of church hiſtory in the univerſity of Edinburgh. Part of this paper, according to him, is written by Naué, Mary's ſecretary, the reſt with the queen's own hand. What is marked " is in the queen's hand. Cott. Lib. Veſpaſ. L. 16. p. 415.

CONſiderant par ma condition preſente l'eſtat de vie humaine, ſi incertain, que perſonne ne s'en peuſt, ou doibt aſſeurer, ſinnon ſoubs la grande et infinie miſericorde de Dieu. Et me voulant prevaloir d'icelle contre tous les dangers et accidens, qui me pourroient inopinement ſurvenir en cette captivité, meſmes a cauſe des grandes et longues maladies, ou j'ay eté detenué juſques a preſent; j'ay adviſé tandis que j'ay la commodité, ou raiſon en jugement, de pourvoir apres ma mort la ſalut de mon ame, enterrement de mon corps et diſpoſition de mon bien, eſtat, & affaires, par ce preſent mon teſtament et ordonnance de mon dernier volonté, qui s'enſuyt.

Au nom du Pere, du Filz, et du benoite St. Eſprit. Premierement, me recongnoiſſant indigne pechereſſe avec plus d'offences envers mon Dieu, que de ſatisfaction par toutes les adverſites que j'ay ſouffert; dont je la loue ſa bonté. Et m'appuyant ſur la croix de mon Sauveur et Redempteur Jeſus Chriſt. Je recommende mon ame a la benoiſte

noiſte et individue Trinité, et aux prieres de la glorieuſe Vierge Marie, et de tous les anges ſaincts & ſainctes de paradis, eſperant par leur merites et interceſſion, eſtre aydeé a obtenir de eſtre faicte participante avec eulx de felicité eternelle. Et pour m'y acheminer de cueur plus net et entier deſpouillant des a preſent tout reſſentiment des injures, calomnies, rebellions, et aultres offenſes, qui me pourroient avoir eſté factes durant ma vie, par mes ſubjets rebelles et aultres ennemis; J'en retriet la vengeance a Dieu, & le ſupplie leur pardonner, de meſme affection, que je luy requiers pardons a mes faultes, et a tous ceuls et celles que je puis avoir offenſé de faicts ou de parolles. Je veulx et ordonne, &c. [*The two following paragraphs contain directions concerning the place and circumſtances of her burial.*]

Pour ne contrevenir a la gloire, honneur, et conſervation de l'Egliſe catholique, apoſtolique et Romaine, en la quelle je veulx vivre et mourir, ſi le prince d'Eſcoſſe mon filz y pueſt etre reduict contre la mauvaiſe nourriture, qu'il a priſe a mon tres grand regret en l'hereſie de Calvin entre mes rebelles, je le laiſſe ſeul et unique heritier de mon royaume d'Eſcoſſe, de droict que je pretende juſtement en a la couronne d'Angleterre et pays qui en dependent, et generallement de tous et chacun mes meubles et immeubles qui reſteront apres ma mort, et execution de ce preſent teſtament.

Si non, et que mon dit filz continue a vivre en la dite hereſie, Je cede, tranſporte, et faicte don " de touts et " chacuns mes droicts, que je pretende & puis pretendre " a la couronne d'Angleterre, et aultres droicts, ſeig- " neuries, ou royaulmes en dependantz, au roy catholique, " ou aultre de ſiens qu'il luy plaira, aveſques advis, con- " ſentement de ſa ſainteté; tant pour le voyr aujourhuy " le ſeul ſeurs appui de la religion catholique, que pour " reconnoiſſance de gratuites faveurs que moy, et les miens " recommandez par moy, ont avons receu de luy en ma " plus grande neceſſité; et reſguard auſſi au droict que " luy meſme peut pretendre a ces ditz royaulmes et pays, " je le ſupplie qu'en recompence il preign alliance, de la " maiſon de Lorraine, et ſi il ce pleut de celle de Guiſe, " pour memoire de la race de laquelle je ſuis ſortie au " coſte de Mere, n'a ayant de celuy de mon pere, que " mon ſeul enfant, lequel eſtant Catholique j'ay tousjours

" voué

" vouè pour une de ſes filles, ſi il luy plaiſoit de l'accep-
" ter, ou faillant une de ſes niepces mariee comme ſa fille.
" Je layſſe mon filz a la protection du roy, de prince,
" et ducs de Lorrayne et de Guiſe, et du Mayne, aux
" quelz je recommende et ſon eſtat en Eſcoſſe, et mon
" droict en Angleterre, ſi il eſt catholique, et quelle le
" parlie de ceſte royne."

Je faitz don au " compté de Lenox" de comte de Lenox tenu par feu ſon pere, et commande mon filtz, comme mon heretier et ſucceſſeur, d'obeyr en ceſt en droit a mon volontè.

Je veulx et ordonne toutes les ſommes et deniers, qui ſe troveront par moys deues, tien mis cauſe de droict eſtre faits " a Lohliven" etre promptement payée et acquittés, et tout tort et griefs reparés per leſdits executeurs deſquelz J'en charge la conſcience. Oultre, &c. [*Follow two or three paragraphs concerning particular legacys, and then is added*] Faict au manoir de Sheffeld en Angleterre le jour de —— Mil cinq cens ſoixant & dix ſept.

After a large blank page follows in the queen's hand:

" Si mon filz meurt, au comte de Lenox, au Claude
" Hamilton lequel ſe montrera le plus fidelle vers moy, et
" plus conſtant en religion, au jugement de —— Ducs de
" Lorraine et de Guyſe, ou je le rapport ſur ce de ceulx a
" que j'auray donnay le charge de trayter aveſque eux de
" par moy et ceulx, a condition de ce marrier ou allier en
" la dite mayſon ou par leur advis."

Follow near two pages of particular legacys.

" Et le remets ma tante de Lenox au droict quelle peut
" pretendre a la conté d'Angous avant l'acort fait par mon
" commandement entre ma dite tante de Lenox et le
" comte de Morton, veu quil a eſté fait & par le feu roy
" mon Mary et moy, ſur la promeſſe de ſa fidelle aſſiſt-
" ance, ſi luy et moy encourions dangier et beſoign d'ayde,
" ce qu'il rompit, s'entendant ſecretement au les nos en-
" nemis rebelles, qu' attemtprient contre ſa vie, et pour
" ceſt effect pris les armes, et ont porte les bannieres dei-
" ploieës, contre nous, je revoque auſſi toute autre don
" que je luy ay fait de conté de Morton ſur promeſſes
" de ſes bons ſervices a advenir, et entends que la dite
" Conté

" Conté ſoit reunie a la couronne, ſi ell ſe trouve y par-
" tenir, comme ſes trahiſons tant en la mort de mon feu
" Mary, que en mon baniſſement, et pourſuit de la mien
" ne l'ont meritè. Et defends a mon filz de ce jamays ſer-
" vire de luy pour de luy pour la hayne qu'il aye a ſes pa-
" rents, la quelle je crains ne s'eſtende juſques a luy, le
" connoiſſant du tout affectionné aux ennemis de mon
" droite en ce royaume, du quel il eſt penconnaire.

" Je recommende mon nepveu Francois Stuart a mon
" filz, et luy commande detenir pres de luy et s'enſervit,
" et je luy laiſſe le bien du conte de Boduel ſon oncle,
" en reſpect qu'il eſt de mon ſang, mon filleul, et ma
" eſtè laiſſe en lutelle par ſon pere.

" Je declare que mon frere baſtard Robert Abbé de St.
" Croix n'a en que par circonvention Orkenay, et que le
" ne fut jamays mon intention, comme il apret par la re-
" vocation que j'ay fayte depuys, et eté auſſi faite d'avant
" la aſge de xxv. ans, ce que j'aimois deliberer ſi il ne
" m'euſſent prenner par priſon de ſe de defayre aulx eſtats
" je veulx donc que Orkenay ſoit reune a la couronne
" comme une de plus neceſſaires pour mon filz, & ſans
" mayſon ne pourra etre bien tenue.

" Le filles de Morra ne parvient acceſſi heriter, ains
" revient la contè a la Couronne, ſi il luy pleſt luy don-
" ner ſa ou fille en marriaſge, et il nome l'en ſienne
" ligne."

No. XIV. (Vol. II. p. 142.)

A letter from Mr. Archibald Douglas to the queen of Scots.

April —— Harl. Lib. 37. B. 9. fo. 126.

PLEASE your majeſty, I received your letter of the date the 12th of Nov. and in like manner has ſeen ſome part of the contents of one other of the ſame date, directed to Monſ. de Moviſir, ambaſſador for his majeſty the moſt Chriſtian king, both which are agreeable to your princely dignity, as by the one your highneſs deſires to know the true cauſe of my baniſhment, and offers unto me all favour if I ſhould be innocent of the heinous facts committed in the perſon of your huſband of good memory, ſo by the other the ſaid ambaſſador is willed to declare unto me, if your huſband's murder could be laid juſtly againſt me.

me, that you could not ſollicit in my cauſe, neither yet for any perſon that was participant of that execrable fact, but would ſeek the revenge thereof, when you ſhould have any means to do it; your majeſty's offer, if I be innocent of that crime, is moſt favourable, and your deſire to know the truth of the ſame is moſt equitable; and therefore that I ſhould with all my ſimplicity, ſincerity and truth anſwer thereunto is moſt reaſonable, to the end that your princely dignity may be my help, if my innocence ſhall ſufficiently appear, and procure my condemnation, if I be culpable in any matter, except in the knowledge of the evil diſpoſed minds of the moſt part of your nobility againſt your ſaid huſband, and not revealing of it; which I am aſſured was ſufficiently known to himſelf, and to all that had judgment never ſo little in that realm; which alſo I was conſtrained to underſtand, as he, that was ſpecially employed betwixt the earl Morton, and a good number of your nobility, that they might with all humility intercede at your majeſty's hand for his relief, in ſuch matters as are more ſpecially contained in the declaration following, which I am conſtrained for my own juſtification, by this letter to call to your majeſty's remembrance. Notwithſtanding that I am aſſured, to my grief, the reading thereof will not ſmally offend your princely mind. It may pleaſe your majeſty to remember, that in the year of God 1566, the ſaid earl of Morton, with divers other nobility and gent. were declared rebels to your majeſty, and baniſhed your realm for inſolent murder committed in your majeſty's own chamber, which they alledged was done by command of your huſband, who notwithſtanding affirmed that he was compelled by them to ſubſcribe the warrant given for that effect, howſoever the truth of that matter remains amongſt them; it appertains not to me at this time to be curious; true it is that I was one of that number, that heavily offended againſt your majeſty, and paſſed into France the time of our baniſhment, at the deſire of the reſt, to humbly pray your brother the Moſt Chriſtian king to intercede that our offences might be pardoned, and your majeſty's clemency extended toward us, albeit divers of no ſmall reputation, in that realm, was of the opinion, that the ſaid fact merited neither to be requiſite for, nor yet pardoned. Always ſuch was the careful mind of his majeſty towards the quietneſs of that realm, that the dealing in that cauſe was committed to Monſr.

de Moviſir, who was directed at that time to go into Scotland, to congratulate the happy birth of your ſon, whom Almighty God of his goodneſs may long preſerve in happy eſtate and perpetual felicity; the careful travail of the ſaid de Moviſir was ſo effectual, and your majeſty's mind ſo inclined to mercy, that within ſhort ſpace thereafter, I was permitted to repair in Scotland, to deal with earls Murray, Athol, Bodvel, Arguile, and ſecretary Ledington, in the name and behalf of the ſaid earl Morton, lords Reven, Lindſay, and remanent compleſis, that they might make offer in the names of the ſaid earl, of any matter that might ſatisfy your majeſty's wrath, and procure your clemency to be extended in their favours; at my coming to them, after I had opened the effect of my meſſage, they declared that the marriage betwixt you and your huſband had been the occaſion already of great evil in that realm, and if your huſband ſhould be ſuffered to follow the appetite and mind of ſuch as was about him, that kind of dealing might produce with time worſe effects; for helping of ſuch inconvenience that might fall out by that kind of dealing, they had thought it convenient to join themſelves in league and band with ſome other noblemen, reſolved to obey your majeſty as their natural ſovereign, and have nothing to do with your huſband's command whatſoever, if the ſaid earl would for himſelf enter into that band and confederacy with them, they could be content to humbly requeſt and travel by all means with your majeſty for his pardon, but before they could any farther proceed, they deſired to know the ſaid earl's mind herein; when I had anſwered, that he nor his friends, at my departure, could not know that any ſuch like matter would be proponit, and therefore was not inſtructed what to anſwer therein, they deſired that I ſhould return ſufficiently inſtructed in this matter to Sterling, before the baptiſm of your ſon, whom God might preſerve; this meſſage was faithfully delivered to me at Newcaſtle in England, where the ſaid earl then remained, in preſence of his friends and company, where they all condeſcended to have no farther dealing with your huſband, and to enter into the ſaid band. With this deliberation I returned to Sterling, where at the requeſt of the moſt Chriſtian King and the queen's majeſty of England by their ambaſſadors preſent, your majeſty's gracious pardon was granted unto them all, under condition always that they ſhould remain baniſh-

ed forth of the realm, the ſpace of two years, and farther during your majeſty's pleaſure, which limitation was after mitigated at the humble requeſt of your own nobility, ſo that immediately after the ſaid earl of Morton repaired into Scotland to Quhittingaime, where the earl of Bodvell and ſecretary Ledington come to him; what ſpeech paſſed there amongſt them, as God ſhall be my judge, I knew nothing at that time, but at their departure I was requeſted by the ſaid earl Morton to accompany the earl Bodvell and ſecretary to Edenburgh, and to return with ſuch anſwer as they ſhould obtain of your majeſty, which being given to me by the ſaid perſons, as God ſhall be my judge, was no other than theſe words, "Schaw to the "earl Morton that the queen will hear no ſpeech of that "matter appointed unto him;" when I crafit that the anſwer might be made more ſenſible, ſecretary Ledington ſaid, that the earl would ſufficiently underſtand it, albeit few or none at that time underſtand what paſſed amongſt them. It is known to all men, als veill be railling letters paſſed betwixt the ſaid earl and Ledington when they become in divers factions, as alſo ane buck ſet furtht by the miniſters wherein they affirm that the earl of Morton has confeſſed to them, before his death, that the earl Bodvell come to Quhittingaime to prepon the calling away off the king your huſband, to the which propoſition the ſaid earl of Morton affirms that he could give no anſwer unto ſuch time he might know your majeſty's mind therein, which he never received. As to the abominable murder, it is known too by the depoſitions of many perſons that were executed to the death for the committing thereof, that the ſame was executed by them, and at the command of ſuch of the nobility, as had ſubſcrivit band for that effect; by this unpleaſant declaration, the moſt part thereof known to yourſelf, and the remainder may be underſtood by the aforeſaid witneſſes that was examined in torture, and that are extant in the cuſtody of the ordinary judges in Scotland, my innocency ſo far as may concern any fact does appear ſufficiently to your majeſty. And as for my dealing aforeſaid, I can be no otherwiſe charged therein, but as what would accuſe the veſſel that preſerves the vine from harm, for the intemperancy of ſuch as immoderately uſe the ſame. As for the ſpecial cauſe of my baniſhment, I think the ſame has proceeded upon ane opinion conceived, that I was able to ac-

cuſe the earl of Morton of ſo much matter as they alledge himſelf to have confeſſed before he died, and would not be induced, for loſs of reputation, to perform any part thereof. If this be the occaſion of my trouble, as I ſuppoſe it is, what puniſhment I ſhould deſerve, I remit me to your majeſty's better judgment, who well knows how careful ever ilk gentleman ſhould be of his fame, reputation and honour, and how far ever ilk man ſhould abhor the name of a pultroun, and how indecent it would have been to me to accuſe the earl of Morton, being ſo near of his kin, notwithſtanding all the injuries I was conſtrained to receive at his hand all the time of his government, and for no other cauſe, but for ſhewing of particular friendſhip to particular friends in the time of the laſt cruel troubles in Scotland. Sorry I be now to accuſe him in any matter being dead, and more ſorry that being on lyff, be ſuch kind of dealing obtained that name of Ingrate. Always for my own part I have been baniſhed my native country thoſe three years and four months, living in anxiety of mind, my holl guds in Scotland, which were not ſmall, intermittit and diſpoſit upon, and has continually ſince the time I was relieved out of my laſt troubles at the deſire of Monſr. de Moviſir, attended to know your majeſty's pleaſure, and to wait upon what ſervice it ſhould pleaſe your majeſty for to command. Upon the 8th of April inſt. your good friend ſecretary Walſinghame has declared unto me, that her highneſs tho't it expedient that I ſhould retire myſelf where I pleaſed, I declared unto him I had no means whereby I might perform that deſire, till ſuch time as I ſhould receive it from your majeſty. Neither knew I where it would pleaſe your highneſs to direct me, until ſuch time as I ſhould have received further information from you. Upon this occaſion, and partly by premiſſion, I have taken the hardreſs to write this preſent letter, whereby your majeſty may underſtand any part of my troubles paſt, and ſtrait preſent. As to my intention future, I will never deny that I am fully reſolved to ſpend the reſt of my days in your majeſty's ſervice, and the king your ſon's, whereſoever I ſhall be directed by your majeſty, and for the better performing thereof, if ſo ſhall be her majeſty's pleaſure, to recommend the tryal of my innocency, and examination of the verity of the preceding narration, to the king your ſon, with requeſt that I may be pardoned for ſuch offences as

concerned

concerned your majeſty's ſervice, and var common to all men the time of his les aige and perdonit to all, except to me, I ſhould be the bearer thereof myſelf, and be directed in whatſoever ſervice it ſhould pleaſe your majeſty for to command. Moſt humble I beſeech your majeſty to conſider hereof, and to be ſo gracious as to give order, that I may have means to ſerve your majeſty according to the ſincerity of my meaning, and ſo expecting your majeſty's anſwer, after the kiſſing your hand with all humility, I take leave from London.

No. XV. (Vol. II. p. 154.)

A letter from Sir Amias Pawlet.

SIR,

I Did forbear, according to your direction ſignified in your letters of the fourth of this preſent, to proceed to the execution of the contents of Mr. Waade's letters unto you, for the diſperſing of this lady's unneceſſary ſervants, and for the ſeaſing of her money, wherein I was bold to write unto you my ſimple opinion (although in vain as it now falleth out), by my letters of the 7th of this inſtant, which I doubt not are with you before this time; but upon the receipt of your letters of the 5th which came not unto my hands untill the 8th in the evening, by reaſon, as did appear by indorſement, that they had been miſtaken, and were ſent back to Windſor, after they were entered into the way towards me, I conſidered, that being accompanied only by my own ſervants, it might be thought that they would be intreated to ſay as I would command them, and therefore I thought good, for my better diſcharge in theſe money matters, to crave the aſſiſtance of Mr. Richard Baggot, who repairing unto me the next morning, we had acceſs to this queen, whom we found in her bed, troubled after the old manner with a defluxion, which was fallen down into the ſide of her neck, and had bereft her of the uſe of one of her hands, unto whom I declared, that upon occaſion of her former practiſes, doubting leſt ſhe would perſiſt therein by corrupting underhand ſome bad members of this ſtate, I was expreſly commanded to take her money into my hands, and to reſt anſwerable for it, when it ſhall be required: Orrein. Cal. C. 9.

quired: adviſing her to deliver the ſaid money unto me with quietneſs. After many denials, many exclamations, and many bitter words againſt you (I ſay nothing of her railling againſt myſelf), with flat affirmation that her majeſty might have her body, but her heart ſhe ſhould never have, refuſing to deliver the key of the cabinet, I called my ſervants, and ſent for barrs to break open the door, whereupon ſhe yielded, and cauſing the door to be opened, I found there in the coffers, mentioned in Mr. Waade's remembrance, five rolls of canvas, containing five thouſand French crowns, and two leather bags, whereof the one had, in gold, one hundred and four pounds two ſhillings, and the other had three pounds in ſilver, which bag of ſilver was left with her, affirming that ſhe had no more money in this houſe, and that ſhe was indebted to her ſervants for their wages. Mr. Waade's note maketh mention of 3 rolls left in Curle's chamber, wherein, no doubt, he was miſreckoned, which is evident as well by the teſtimonies and oaths of diverſe perſons, as alſo by probable conjectures; ſo as in truth we found only two rolls, every of which containeth one thouſand crowns, which was this queen's guifte to Curle's wife at her marriage. There is found in Naw's chamber, in a cabinet, a chain worth by eſtimation one hundred pounds, and in money, in one bag nine hundred pounds, in a ſecond bag two hundred fourſcore and ſix pounds eighteen ſhillings. All the foreſaid parcels of money are beſtowed in bags, and ſealed by Mr. Richard Bagot, ſaving five hundred pounds of Naw's money, which I reſerve in my hands, for the uſe of this houſhold, and may be repayed at London, where her majeſty ſhall appoint, out of the money, received lately by one of my ſervants, out of the Exchequer. I feared leſt the people might have diſperſed this money in all this time, or have hidden the ſame in ſome ſecret corners; for doubt whereof, I had cauſed all this queen's family, from the higheſt to the loweſt, to be guarded in the ſeveral places where I found them, ſo as yff I had not found the money with quietneſs, I had been forced to have ſearch firſt all their lodgings, and then their own perſons. I thank God with all my heart, as for a ſingular bleſſing, that that falleth out ſo well, fearing leſt a contrary ſucceſs might have moved ſome hard conceits in her majeſty.

Curle can tell you the truth of this matter.

TOUCHING

TOUCHING the diſperſing of this queen's ſervants, I truſt I have done ſo much, as may ſuffice to ſatisfy her majeſty for the time, wherein I could not take any abſolute courſe, until I heard again from you, partly becauſe her majeſty, by Mr. Waade's letter, doth refer to your conſideration to return ſuch as ſhall be diſcharged to their ſeveral dwellings and countries, wherein, as it ſeemeth, you have forgotten to deliver your opinion; partly, for that as yet, I have received no anſwer from you, of your reſolution, upon the view of the Scottiſh family ſent unto you, what perſons you will appoint to be diſmiſt; only this I have done, I have beſtowed all ſuch as are mentioned in this bill incloſed in three or four ſeveral rooms, as the ſame may ſuffice to contain them, and that their meat and drink ſhall be brought unto them by my ſervants. It may pleaſe you, to advertiſe me by your next letters, in what ſort, and for what courſe, I ſhall make their paſſports, as alſo, if they ſhall ſay that they are unpaid of their wages, what I ſhall do therein. Yt is ſaid that they have been accuſtomed to be paid of their wages at Chriſtmas, for the whole year. Her majeſty's charge will be ſomewhat diminiſhed by the departure of this people, and my charge by this occaſion, will be the more eaſy. But the perſons, all ſave Baſtian, are ſuch ſilly and ſimple ſouls, as there was no great cauſe to fear their practices, and upon this ground, I was of opinion, in my former letters, that all this diſmiſſed train ſhould have followed their miſtreſs, until the next remove, and there to have been diſcharged upon the ſudden, for doubt that the ſaid remove might be delayed, yf ſhe did fear, or expect any hard meaſure.

This lady hath good ſtore of money at preſent in the French Ambaſſador's hands.

OTHERS ſhall excuſe their fooliſh pity as they may; but for my part, I renunce my part of the joys of heaven, yf in any thing that I have ſaid, written or done, I have had any other reſpect than the furtherance of her majeſty's ſervice; and ſo I ſhall moſt earneſtly pray you to affirm for me, as likewiſe for the not ſeaſing of the money by Mr. Manners, the other commiſſioners and myſelf. I truſt Mr. Waade hath anſwered, in all humble duties, for the whole company, that no one of us did ſo much as think that our commiſſion reaching only to the papers, we might be bold to touch the money, ſo as there was no ſpeech of that all to my knowledge, and as you know I was no commiſſioner in this ſearch, but had my hands full

at Tyxall, diſcreet ſervants are not haſtily to deal in great matters, without warrant, and eſpecially where the cauſe is ſuch as the delay of it carried no danger.

YOUR advertiſement of that happy remove hath been greatly comfortable unto me. I will not ſay, in reſpect of myſelf, becauſe my private intereſt hath no meaſure of compariſon with her majeſty's ſafety, and with the quiet of this realm. God grant a happy and ſpeedy yſſue to theſe good and godly councels; and ſo I commit you to his merciful protection. From Chartley the 10th of September 1586.

No. XVI. (Vol. II. p. 168.)

Letter from the king of Scots to Mr. Archibald Douglas his ambaſſador in England, October, 1586.

Cot. Lib. Calig. C. 9. An Original in the king's hand.

RESERVE up yourſelf na langer in the earneſt dealing for my mother, for ye have done it too long; and think not that any your travellis can do goode if hir life be taken, for then adeu with my dealing with thaime that are the ſpecial inſtrumentis thairof; and theirfore, gif ye looke for the contineuance of my favour towartis you, ſpair na pains nor plainnes in this cace, but redde my letter wrettin to Williame Keith, and conform yourſelf quhollie to the contentis thairof, and in this requeiſt let me reap the fruictis of your great credit there, ather now or never. Fairwell. October, 1586.

Letter to ſir William Keith, ambaſſador in England, probably from ſecretary Maitland. Nov. 27, 1586.

A copy in the collect. of ſir A. Dick Vol. A. fol. 219.

BY your letters ſent by this bearer, (albeit concerning no pleaſant ſubject) his majeſty conceives well of your earneſtneſs and fidelity in your negotiations, as alſo of Mr. Archibald's activity and diligence, whom you ſo greatly praiſe and recommend. I wiſh the iſſue correſpond to his Majeſty's opinion, your care and travell, and his great diligence as you write. His majeſty takes this rigorous proceeding againſt his mother deeply in heart,

heart, as a matter greatly concerning him both in honour and otherwiſe. His highneſſes actions and behaviour utter plainly not only how far nature prevails, but alſo how he apprehends of the ſequel of that proceſs, and of what moment he eſteems it. There is an ambaſſade ſhortly to be directed, wherein will be employed an earl and two counſellors, on whoſe anſwer will depend the continuance or diſſolution of the amity and good intelligence between the princes of this iſle. In the mean ſeaſon, if farther extremity be uſed, and his majeſty's ſuit and requeſt diſdained, his highneſs will think himſelf diſhonoured and contemned far beſides his expectation and deſerts. Ye may perceive his majeſty's diſpoſition by his letter to you, which you ſhall impart to Mr. Archibald, and both deal according thereto. I need not to recommend to your care, concerning your maſter's ſervice both in weill and in honour. As you and your colleague ſhall behave yourſelf in this behalf, ſo for my own part, will I interpret your affection to your maſter. I am glad of that I hear of yourſelf, and I do fully credit that you write of Mr. Archibald, whoſe friends here make great account of his profeſſed devotion to the queen, beſides the duty he owes to the king's majeſty her ſon. Farther I am conſtrained to remit to next occaſion, having ſcarce time to ſcribble theſe few lines (which of themſelves may bear witneſs of my haſte). Wiſhing you a proſperous iſſue of your negociation, I commit you, &c. Halyrudhouſe, Nov^r. 27th, 1586.

THE people, and all eſtates here are ſo far moved by the rigorous proceedings againſt the queen, that his majeſty, and all that have credit are importuned, and may not go abroad for exclamations againſt them, and imprecations againſt the queen of England.

No. XVII. (Vol. II. p. 171.)

To the king's majeſty, from Mr. Archibald Douglas.

PLEASE your majeſty, I received your letter of the date the 28th of September, the 5th of October, which was the ſame day that I directed W^m. Murray towards your highneſs; by ſuch letters as he carried, and others of ſeveral dates, your majeſty may perceive that I had

16 Oct. 1586. From the Original in the collect. of ſir A. Dick, Vol. B. fol. 324.

had omitted nothing ſo far as my travel might reach unto, anent the performing of the two chief points contained the ſaid letter befor the receit thereof, which by theſe preſents I muſt repeat for anſwering of the ſaidis. As to the firſt, ſo far as may concern the interceding for the queen your majeſty's mother her life, I have divers times and in every audience travelled with this queen in that matter, ſpecially to know what her full determination muſt be in that point, and could never bring her to any further anſwer, but that this proceeding againſt her by order of juſtice was no leſs againſt her mind, than againſt their will that loved her beſt: as towards her life ſhe could give no anſwer thereunto, untill ſuch time as the law hath declared whether ſhe was innocent or guilty. Herewithal it was her pleaſure thus far to inform me, that it was a number of the aſſociants that earneſtly preſſed her that the law might proceed againſt her, giving reaſons that ſo long as ſhe was ſuffered to deal in matters, ſo long would never this realm be in quiet, neither her life, neither this ſtate in aſſurance, and in the end they uſed this proteſtation that if ſhe would not in this matter follow their advice, that they ſhould remain without all blame whatſoever ſhould fall out; whereupon ſhe had granted them liberty to proceed, leſt ſuch as had made the requeſt, might hereafter have charged herſelf with inconvenience if any ſhould happen.

And by myſelf I know this her ſpeech to be true, becauſe both papiſt and proteſtant has behaved them, as it hath been her pleaſure to declare, but upon divers reſpects, the one to avoid ſuſpicion that otherwiſe was conceived againſt them, the other upon zeal, and care that they will be known to have for preſervation of their ſovereign's life and ſtate in this perilous time, upon conſideration whereof, I have been conſtrained to enter into ſome dealing with both, wherewith I made her majeſty acquainted; the proteſtants, and ſuch as in other matters will be known to bear no ſmall favour unto your majeſty's ſervice, hath prayed that they may be excuſed from any dealing in the contrary of that, which by their oath they have avowed, and by their ſpeech to their ſovereign requeſted for, and that before my coming in this country; if they ſhould now otherwiſe do, it would produce no better effect but to make them ſubject to the accuſation of their ſovereign, when it ſhould pleaſe her to do it, of their inconſtancy,

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in giving councell whereby they might incur the danger of ill councellors and be conſequent worthy of puniſhment. Such of the papiſts, as I did deal with, went immediately, and told her majeſty what I had ſpoken to them, who albeit ſhe underſtood the matter of before, ſent for me and declared to me my own ſpeech that I had uttered to them, willing me for the weil of my maiſter's ſervice to abſtain from dealing with ſuch, as were not yet ſufficiently moved to think of my maſter as ſhe did. I craved leave of her majeſty, that I might inform them of your majeſty's late behaviour towards her, and the ſtate of this realm, whereunto with ſome difficulty ſhe gave her conſent. At my late departure from court, which was upon the 5th of this inſtant, and the day after that the lords of this grand jury had taken their leaves of her majeſty to go northward to Fothringham, it was her pleaſure to promiſe to have further ſpeech in this matter at the returning of the ſaid lords, and to give full anſwer according to your majeſty's contentment to the remainder matters, that I had proponit in name of your majeſty. As to the 2d part concerning the aſſociation, and deſire that the promiſe made to the maſter of Gray concerning your majeſty's title may be fulfilled; it appears by the ſaid letter, that the very point, whereupon the queſtion that may bring your majeſty's title in doubt hath not been rightly at the writing of the ſaid letter conſidered, which I take to have proceeded for lack of reading of the act of parliament, wherein is fulfilled all the promiſe made by the queen to the ſaid maſter, and nothing may now cauſe any doubt to ariſe againſt your ſaid title, except that an opinion ſhould be conceived by theſe lords of this parliament that are ſo vehement at this time againſt the queen your majeſty's mother, that your majeſty is, or may be proved hereafter aſſenting to her proceedings, and ſome that love your majeſty's ſervice were of that opinion that too earneſt requeſt might move a ground, whereupon ſuſpicions might grow in men ſo ill affected in that matter, which I tho't might be helped by obtaining of a declaration in parliament of your majeſty's innocence at this time, and by reaſon that good nature and public honeſty would conſtrain you to intercede for the queen your mother, which would carry with itſelf, without any further, ſome ſuſpicion that might move ill affected men to doubt. In my former letters I humbly craved of your majeſty that ſome learned men in the laws,

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might be moved to adviſe with the words of the aſſociation, and the mitigation contained in the act of parliament, and withall to adviſe what ſuſpicious effects your majeſty's requeſt might work in theſe choleric men at this time, and how their minds might be beſt moved to receive reaſon; and upon all theſe conſiderations they might have formed the words of a declarator of your majeſty's innocence to be obtained in this parliament, and failing thereof, the very words of a proteſtation for the ſame effect that might beſt ſerve for your majeſty's ſervice, and for my better information. Albeit this was my ſimple opinion, I ſhall be contented to follow any direction it ſhall pleaſe your majeſty to give; I have already opened the ſubſtance hereof to the queen of this realm, who ſeems not to be offended herewith, and hath granted liberty to deal therein with ſuch of the parliament as may remain in any doubt of mind. This being the ſum of my proceedings in this matter, beſides the remainder, contained in other letters of ſeveral dates, I am conſtrained to lay the whole open before your majeſty, and to humbly pray that full information may be ſent unto me what further to do herein; in this middle time, while I ſhall receive more ample direction I ſhall proceed and be doing according to ſuch direction as I have already received. And ſo, moſt gracious ſovereign, wiſhing unto your majeſty all happy ſucceſs in your affairs, I humbly take my leave from London, 16th of Oct^r. this 1586. Your majeſty's moſt humble ſubject and obed^t ſervant.

A memorial for his majeſty by the maſter of Gray.

32 Jan. 1586. An Original in his own hand in the collect. of ſir A. Dick. Vol. A. fol. 222.

IT will pleaſe your majeſty, I have tho't meeter to ſet down all things as they occur, and all advertiſements as they come to my ears, then jointly in a lettre.

I CAME to Vare the 24th of Dec^r, and ſent to W^m. Keith, and Mr. Archibald Douglas to advertiſe the queen of it, lik as they did at their audience. She promiſed the queen your majeſty's mother's life ſhould be ſpared till we were heard. The 27th they came to Vare to me, the which day Sir Rob^t. came to Vare, where they ſhewed us how far they had already gone in their negociation, but for that the diſcourſe of it is ſet down in our general letter, I remit me to it, only this far I will teſtify unto your

your majeſty that W^m. Keith hath uſed himſelf right honeſtly and wiſely till our coming, reſpecting all circumſtances, and chiefly his colleague his dealing, which indeed is not better than your majeſty knows already.

THE 29th day of Dec^r. we came to London, where we were no ways friendly received, nor after the honeſt ſort it has pleaſed your majeſty uſe her ambaſſadors; never man ſent to welcome or convey us. The ſame day we underſtood of Mr. de Bellievre his leave taking, and for that the cuſtom permitted not we ſent our excuſes by Mr. George Young.

THE 1ſt day of Jan^y. W^m. Keith and his colleague according to the cuſtom ſent to crave our audience. We received the anſwer contained in the general letter, and could not have anſwer till the 6th day, what was done that day your majeſty has it in the general, yet we was not out of eſperance at that time, albeit we received hard anſwers.

THE 8th day we ſpeak with the earl of Leiceſter, where our conference was, as is ſet down in the general. I remarked this, that he that day ſaid plainly the detaining of the queen of Scotland priſoner was for that ſhe pretended a ſucceſſion to this crown. Judge then by this, what is tho't of your Majeſty as ye ſhall hear a little after.

THE 9th day we ſpeak with the French ambaſſador, whom we found very plain in making to us a wiſe diſcourſe of all his proceedings, and Mr. de Bellievre we thanked him in your majeſty's name and opened ſuch things as we had to treat with this queen, ſave the laſt point, as more largely ſet down by our general.

IT is tho't here, and ſome friends of your majeſty's adviſed me, that Bellievre his negociation was not effectual, and that the reſident was not privy to it, as indeed I think is true, for ſince Bellievre his perting, there is a talk of this Chaſteauneuf his ſervants taken with his whole papers and pacquets, which he was ſending in France for that they charge him with a conſpiracy of late againſt the queen here her life. It is alledged his ſervant has confeſſed the matter, but whom I ſhall truſt I know not, but till I ſee proof I ſhall account him an honeſt man, for indeed ſo he appears, and one (without doubt) who hath been very inſtant in this matter. I ſhew him that the queen and earl of Leiceſter had deſired to ſpeak with me

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in private, and craved his opinion; he gave it freely that he tho't it meeteſt, I ſhew him the reaſon why I communicate that to him, for that I had been ſuſpected by ſome of her majeſty's friends in France to have done evil offices in her ſervice, that he ſhould be my witneſs that my earneſt dealing in this ſhould be a ſufficient teſtimony that all was lyes, and that this knave Naué who now had betrayed her, had in that done evil offices; he deſired me, ſeeing ſhe ſaw only with other folks eyes, that I ſhould no ways impute it to her, for the like ſhe had done to himſelf by Naué his perſuaſion. I anſwered he ſhould be my witneſs in that.

THE 9th day we ſent to court to crave audience, which we got the 10th day; at the firſt, ſhe ſaid a thing long looked for ſhould be welcome when it comes, I would now ſee your maſter's offers. I anſwered, no man makes offers but for ſome cauſe; we would, and like your majeſty, firſt know the cauſe to be extant for which we offer, and likewiſe that it be extant till your majeſty has heard us. I think it be extant yet, but I will not promiſe for an hour, but you think to ſhift in that ſort. I anſwered we mind not to ſhift, but to offer from our ſovereign all things that with reaſon may be; and in ſpecial, we offered as is ſet down in our general, all was refuſed and tho't nothing. She called on the three that were in the houſe, the earl of Leiceſter, my lord admiral, and chamberlain, and very deſpitefully repeated all our offers in preſence of them all. I opened the laſt part and ſaid, Madam, for what reſpect is it that men deal againſt your perſon or eſtate for her cauſe? She anſwered, becauſe they think ſhe ſhall ſucceed to me, and for that ſhe is a papiſt; appearingly ſaid I both the cauſes may be removed, ſhe ſaid ſhe would be glad to underſtand it. If Madam, ſaid I, all that ſhe has of right of ſucceſſion were in the king our ſovereign's perſon, were not all hope of papiſts removed? She anſwered, I hope ſo. Then Madam I think the queen his mother ſhall willingly demit all her rights in his perſon. She anſwered ſhe hath no right, for ſhe is declared unhabil. Then I ſaid, if ſhe have no right, appearingly the hope ceaſes already, ſo that it is not to be feared that any man attempt for her. The queen anſwered, but the papiſts allow not our declaration; then let it fall, ſays I, in the king's perſon by her aſſignation. The earl of Leiceſter anſwered, ſhe is a priſoner, how can ſhe demit? I anſwered the demiſſion is to her ſon, by the advice of all the friends ſhe has

has in Europe, and in caſe, as God forbid, that any attempt cuttis the queen here away, who ſhall party with her to prove the demiſſion or aſſignation to be ineffectual her ſon being oppoſite party and having all the princes her friends for him, having bonded for the efficacy of it with his majeſty of before. The queen made as ſhe could not comprehend my meaning, and ſir Robt. opened the matter again, ſhe yet made as tho' ſhe underſtood not. So the earl of Leiceſter anſwered that our meaning was, that the king ſhould be put in his mother's place. Is it ſo, the queen anſwered, then I put myſelf in a worſe caſe than of before; by God's paſſion, that were to cut my own throat, and for a dutchy, or an earldom to yourſelf, you or ſuch as you would cauſe ſome of your deſperate knaves kill me. No, by God, he ſhall never be in that place. I anſwered he craves nothing of your majeſty but only of his mother. The earl of Leiceſter anſwered that were to make him party to the queen my miſtreſs. I ſaid, he will be far more party, if he be in her place thro' her death. She would ſtay no longer, but ſaid ſhe ſhould not have a worſe in his mother's place. And ſaid, tell your king what good I have done for him in holding the crown on his head ſince he was born, and that I mind to keep the league that now ſtands between us, and if he break it ſhall be a double fault, and with this minded to have bidden us a farewell; but we achevit [i. e. finiſhed arguing upon this point]. And I ſpake craving of her that her life may be ſpared for 15 days; ſhe refuſed. Sir Robt. craved for only eight days, ſhe ſaid not for an hour; and ſo geid her away Your majeſty ſees we have delivered all we had for offers, but all is for nothing, for ſhe and her councel has laid a determination that they mind to follow forth, and I ſee it comes rather of her councel than herſelf, which I like the worſe; for without doubt, ſir, it ſhall cut off all friendſhip ye had here. Altho' it were that once they had meaned well to your majeſty, yet remembering themſelves, that they have medled with your mother's blood, good faith they cannot hope great good of yourſelf, a thing in truth I am ſorry for; further your majeſty may perceive by this laſt diſcourſe of that I proponit, if they had meaned well to your majeſty, they had uſed it otherwiſe than they have done, for reaſon has bound them. But I dare not write all. I mind ſomething to ſpeak in this matter, becauſe we look ſhurly our letters ſhall be truſſit by the way.

For

For that I ſee private credit nor no means can alter their determination, altho' the queen again and the earl of Leiceſter has deſired to ſpeak with me in particular; I mind not to ſpeak, nor ſhall not; but aſſuredly ſhall let all men ſee that I in particular was no ways tyed to England, but for the reſpect of your majeſty's ſervice. So albeit, at this time, I could not effectuate that I deſired, yet my upright dealing in it ſhall be manifeſted to the world. We are, God willing, then to crave audience, where we mind to uſe ſharply our inſtructions, which hitherto we have uſed very calmly, for we can, for your honour's cauſe, ſay no leſs for your majeſty, than the French ambaſſador has ſaid for his maſter.

So I pray your majeſty conſider my upright dealing in your ſervice, and not the effect, for had it been doable [i. e. poſſible to be done] by any I might have here had credit, but being I came only for that cauſe I will not my credit ſhall ſerve here to any further purpoſe. I pray God preſerve your majeſty and ſend you a true and ſincere friendſhip. From London this 12th of Jan. 158⅚.

I UNDERSTAND the queen is to ſend one of her own to your majeſty.

To the right hon. my lord vice-chancellor and ſecretary to his majeſty, from the maſter of Gray.

12th Jan. 1586, an Original in the Collect. of ſir A. Dick. Vol. A. fol. 179.

MY lord, I ſend you theſe lines with this incloſed to his majeſty, whereby your lordſhip ſhall underſtand how matters goes here. And before all things I pray your lordſhip move his majeſty to reſpect my diligence, and not the effect in this negociation, for I ſwear if it had been for the crown of England to myſelf I could do no more, and let not unfriends have advantage of me, for the world ſhall ſee that I loved England for his majeſty's ſervice only. I look ſhortly to find your lordſhip friend as ye made promiſe, and by God I ſhall be to you if I can. Wm. Keith and I devyſet, if matters had gone well, to have run a courſe that your lordſhip might have here been in credit and others diſappointed, but now I will do for you as for myſelf; which is to care for no credit here, for in conſcience they mean not honeſtly to the king our ſovereign, and if they may, he will go the get his mother is gone or ſhortly to go, therefore my lord without all kind of ſcruple I pray you to adviſe him the beſt is not this way.

They

They ſay here, that it has been ſaid by one who heard it from you, that ye deſired not the king and England to agree, becauſe it would rack the noblemen, and gave an example of it by king James the fourt, I anſwered in your name that I was aſſured you never had ſpoken it. Mr. Archibald is the ſpeaker of it, who I aſſure your lordſhip has been a poiſon in this matter, for they lean very mickle to his opinion. He cares not, he ſays, for at length the king will be fain to deal this way, either by fair means or neceſſity, ſo that when he deals this courſe he is aſſured to be welcome; to ſet down all that is paſt of the like purpoſes, it would conſume more paper than I have here, ſo I defer it to meeting. There is a new conſpiracy alledged againſt the queen to have been intended, for the French ambaſſador reſident three of his men taken, but I think in the end it ſhall prove nothing. Mr. Stafford who is ambaſſador for this queen in France, is touched with it, his brother is taken here, always it has done this harm in our negociation, that all this council would not move this queen to meddle with the queen of Scotland's blood, till this invention was found forth. I remit all other things to the incloſed. We minded to have ſent to his majeſty a diſcourſe, which we have ſet down of all our proceedings ſince our hither coming, but we are ſurely advertized that the bearer is to be truſſed by the way for our pacquets, ſo that we defer it till our own coming; this I have put in a privy part beſide the pacquet. We ſhall I think take leave on Fryday the 13th day, where we mind exactly to follow the rigour of our inſtructions, for it can not ſtand with the king's honour that we ſay leſs than the French ambaſſador, which was, le roy mon maiſtre ne peult moins faire que ſe reſentir. So that about the 24th I think we ſhall, God willing, be at home, except that ſome ſtay come which we look not for. The queen and the earl of Leiceſter has deſired to ſpeak with me. I refuſed ſave in preſence of my colleagues, by reaſon I ſee a determination which particular credit cannot help, and I crave no credit but for that cauſe. It will pleaſe your lordſhip retire the incloſed from his majeſty and keep it. So after my ſervice commended to yourſelf and bedfellow, I commit you to God. From London the 12th of Jan. 1586.

To the king's majeſty, from ſir Robert Melvil.

20th Jan. 1586. An Original in his own hand, in the collect. of ſir A. Dick. Vol. A. fol. 181.

IT may pleaſe your majeſty, ſince the direction of our former letters, we had audience, and her majeſty appeared to take our overtures in good part in preſence of her council; albeit no offers could take place with them, having taken reſolution to proceed with extremity, not the leſs it pleaſed her majeſty to deſire us to ſtay for two days on taking our leave, untill ſhe had adviſed upon our propoſitions; ſince which time, her majeſty is become more hard by ſome letters (as we are informed) has come from Scotland, making ſome hope to believe that your majeſty takes not this matter to heart, as we know the contrary in effect, and had of before removed the like opinion out of her majeſty's mind, which by ſiniſter information was credited, thir reports has hindered our commiſſion, and abuſed this queen, fearing in like manner we ſhall be ſtayed until anſwer come from Scotland by ſuch perſon as they have intelligence of. And albeit that it will be well enough known to all men how heavily your majeſty takes this proceeding to heart, the truth is, that they have by this occaſion ſo perſuaded the queen, that it is like to hinder our negotiation. As alſo Alchinder (*i. e.* Alexander) Steward is to be directed in their party, by our knowledge, who has awantyt more of his credit, than I believe he may perform, and we wreat him to deſiſt from this dealing, ſaying it does harm, and he is not meet for that purpoſe, remitting to your majeſty's good diſcretion to take order herein as we ſhall be anſwerable to your majeſty not to omit any point we have in charge, as the truth is, the maſter of Grhaye has behaved himſelf very uprightly and diſcreetly in this charge, and evil tayne with be divers in theſe parts who were of before his friends. We have been behalding to the menſtrals who has born us beſt company, but has not been troubled with others. Wylzeme Kethe hath left nothing undone that he hath in charge. As for maſter Archibald he has promiſed at all times to do his dewoyr, wherein he ſhall find true report made to your majeſty, craving pardon of your majeſty that I have been ſo tedious, after I have kiſſed your majeſty's hand I humbly take my leave. Praying God to grant your majeſty many good days and happy, in whoſe protection I commit your majeſty at London, the 20th of Jan. 1586.

SIR,

SIR,

ALBEIT Maſter George has not been in commiſſion he is not inferior in his ſervice to any of us, as well by his good advice and diligent care he takes for the advancement of your ſervice, wherein we have not been a little furthered.

To the king's majeſty, from the maſter of Gray and ſir Robert Melvill.

PLEASE it your majeſty in the laſt audience we had, ſince our laſt advertiſement by Wm. Murray, we find her majeſty at the reſuming our offers ſomething mitigated, and inclined to conſider more deeply of them, before we got our leave, at our reaſoning, certain of the council, namely, my lord of Leiceſter, ſir Chriſtopher Haton, my lord Hunſdon, and my lord Hawart being preſent in the chamber, gave little ſhow of any great contentment to heare her from her former reſolution, now caſſin in perplexitie what ſhe ſhould do, always we left her in that ſtate, and ſince have daily preſſed conference with the whole council, which to this hour we have not yet obtained. This day we have ſent down to crave our leave. The greateſt hinder which our negotiation has found hitherto is a perſuaſion they have here that either your majeſty deals ſuperficially in this matter, or that with time ye may be moved to digeſt it, which when with great difficulty we had expugnit, we find anew that certain letters written to them of late from Scotland has found ſome place of credit with them in our contrare. So that reſolving now to clear them of that doubt by a ſpecial meſſage, they have made choice of Sir Alexander Stewart to try your highneſs's meaning in it, and to perſuade your majeſty to like of their proceedings, where from no terror we can ſay out unto him is able to divert him, he has given out that he has credit with your majeſty, and that he doubts not to help this matter at your highneſs's hand. If he come there that errand, we think your majeſty will not overſee the great diſgrace that his attempts ſhall give us here, if he be not tane order with before that he be further heard, and if ſo be that any other be directed (as our intelligence gives us there ſhall) our humble ſuit is to

21ſt Jan. 1586. An Original in the collect. of ſir A. Dick. Vol. A. fol. 180.

your majeſty, that it may pleaſe your highneſs to hear of us what we find here, and at what point we leave this matter with her majeſty, before that they find accidence, the cauſes whereof remitting to our private letters. We commit your majeſty for the preſent to God's eternal protection. From London this 21ſt of Jan. 1586.

No. XVIII. (Vol. II. p. 179.)

Copy of a letter from the earls of Shrewſbury and Kent, &c. touching their proceedings with regard to the death of the Scottiſh queen, to her majeſty's council.

IT may pleaſe your hon^ble^ good lordſhips to be adver-tiſed, that, on Saturday the 4th of this preſent, I Robert Beale came to the houſe of me the earl of Kent in the county of —— to whom your lordſhips letter and meſſage was delivered, and her majeſty's commiſſion ſhewn; whereupon I the earl forthwith ſent precepts for the ſtaying of ſuch hues and crie as had troubled the country, requiring the officers to make ſtay of all ſuch perſons, as ſhould bring any ſuch warrants without names, as before had been done, and to bring them to the next juſtice of peace, to the intent that, upon their examination, the occaſion and cauſes of ſuch ſeditious bruites might be bolted out and known. It was alſo reſolved that I the ſaid earl of Kent ſhould, on the Monday following, come to Lylford to Mr. Elmes, to be the nearer and readier to confer with my lord of Shrewſbury. Sonday at night, I Robert Beale came to Fotheringay, where after the communicating the commiſſion, &c. unto us ſir Amice Pawlet and ſir Drue Drury, by reaſon that ſir A. Pawlet was but late recovered and not able to repair to the earl of Shrewſbury, being then at Orton, ſix miles off; it was thought good that we ſir Drue Drury and Robert Beale ſhould go unto him, which we did on —— morning; and together with the delivery of her majeſty's commiſſion, and your lordſhip's letter imparted unto him what both the earl of Kent and we thought meet to be done in the cauſe, praying his lordſhip hither the day following, to confer with me the ſaid earl, concerning the ſame; which his lordſhip promiſed.

promiſed. And for the better colouring of the matter, I the ſaid earl of Shrewſbury ſent to Mr. Beale, a juſtice of peace of the county of Huntingdon next adjoining, to whom I communicated that warrant, which Robert Beale had under your lordſhip's hands, for the ſtaying of the hues and cries, requiring him to give notice thereof to the town of Peterborough, and eſpecially unto the juſtices of peace of Huntingdonſhire, and to cauſe the purſuers and bringers of ſuch warrants to be ſtayed, and brought to the next juſtice of peace; and to bring us word to Fotheringay caſtle on Wedneſday morning what he had done, and what he ſhould in the mean time underſtand of the authors of ſuch bruites. Which like order, I alſo ſir Amias Pawlet had taken on Monday morning in this town, and other places adjoining. The ſame night, the ſheriff of the county of Northampton upon the receit of your lordſhip's letter came to Arundel, and letters were ſent to me the earl of Kent of the earl of Shrewſbury's intention and meeting here on Tueſday by noon; and other letters were alſo ſent with their lordſhips aſſent to ſir Edward Montagu, ſir Richard Knightly, Mr. Tho. Brudenell, &c. to be here on Wedneſday by eight of the clock in the morning, at which time it was thought meet that the execution ſhould be. So upon Tueſday, we the earls came hither, where the ſheriff met us; and upon conference between us it was reſolved, that the care for the ſending for the ſurgeons, and other neceſſary proviſion ſhould be committed unto him againſt the time. And we forthwith repaired unto her, and firſt in the preſence of herſelf and her folks, to the intent that they might ſee and report hereafter that ſhe was not otherwiſe proceeded with than according to law, and the form of the ſtatute made in the 27th year of her majeſty's reign, it was thought convenient that her majeſty's commiſſion ſhould be read unto her, and afterwards ſhe was by ſundry ſpeeches willed to prepare herſelf againſt the next morning. She was alſo put in remembrance of her fault, the honourable manner of proceeding with her, and the neceſſity that was impoſed upon her majeſty to proceed to execution, for that otherwiſe it was found that they could not both ſtand together; and however, ſithence the lord Buckhurſt's his being here new conſpiracys were attempted, and ſo would be ſtill; wherefore ſince ſhe had now a good while ſince warning, by the ſaid lord and Robert Beale, to think upon

on and prepare herſelf to die, we doubted not but that ſhe was, before this, ſettled, and therefore would accept this meſſage in good part. And to the effect that no chriſtian duty might be ſaid to be omitted, that might be for her comfort, and tend to the ſalvation both of her body and ſoul in the world to come, we offered unto her that if it would pleaſe her to confer with the biſhop and dean of Peterborough, ſhe might; which dean, we had, for that purpoſe, appointed to be lodged within one mile of that place. Hereto ſhe replied, croſſing herſelf in the name of the Father, the Son, and the Holy Ghoſt, ſaying that ſhe was ready to die in the catholic Roman faith, which her anceſtors had profeſſed, from which ſhe would not be removed. And albeit we uſed many perſuaſions to the contrary, yet we prevailed nothing; and therefore, when ſhe demanded the admittance of her prieſt, we utterly denied that unto her. Hereupon, ſhe demanded to underſtand what anſwer we had touching her former petition to her majeſty, concerning her papers of accounts, and the beſtowing of her body. To the firſt we had none other anſwer to make, but that we thought if they were not ſent before, the ſame might be in Mr. Waade's cuſtody, who was now in France, and ſeeing her papers could not any wiſe pleaſure her majeſty, we doubted not but that the ſame would be delivered unto ſuch as ſhe ſhould appoint. For, for our own parts, we undoubtedly thought that her majeſty would not make any profit of her things, and therefore (in our opinions) ſhe might ſet down what ſhe would have done, and the ſame ſhould be imparted unto her majeſty, of whom both ſhe and others might expect all courteſy. Touching her body, we knew not her majeſty's pleaſure, and therefore could neither ſay that her petition ſhould be denyed, or granted. For the practice of Babington, ſhe utterly denied it, and would have inferred it, that her death was for her religion; whereunto it was eftſoons by us replied, that for many years ſhe was not touched for religion, nor ſhould have been now, but that this proceeding againſt her was for treaſon, in that ſhe was culpable of that horrible conſpiracy for deſtroying her majeſty's perſon; which ſhe again denied, adding further, that albeit ſhe for herſelf forgave them that were the procurers of her death, yet ſhe doubted not but that God would take vengeance thereof. And being charged with the depoſitions of Nauè and Curle to prove it againſt her,

ſhe replied, that ſhe accuſed none, but that hereafter when ſhe ſhall be dead, and they remain alive, it ſhall be ſeen how indifferently ſhe had been dealt with, and what meaſure had been uſed unto her; and aſked whether it had been heard before this, that ſervants had been practiſed to accuſe thair miſtreſs, and hereupon alſo required what was become of them, and where they remained.

Upon our departure from her, for that it ſeemed by the commiſſion, that the charge of her was in the diſpoſition of us the earls, we required S. Amias Paulet and S. Drue Drurie, to receive, for that night, the charge, which they had before, and to cauſe the whole number of ſoldiers to watch that night, and that her folks ſhould be put up, and take order that only four of them ſhould be at the execution, remaining aloof of and guarded with certain perſons ſo as they ſhould not come near unto her, which were Melvil her ſteward, the phyſician, ſurgeon, and apothecary.

Wednesday morning, after that we the earls were repaired unto the caſtle, and the ſheriff had prepared all things in the hall for the execution, he was commanded to go into her chamber, and to bring her down to the place where were preſent, we which have ſigned this letter, Mr. Henry Talbot, eſq; ſir Edward Montague, knt. his ſon and heir apparent, and William Montague his brother, ſir Richard Knichtly, knt. Mr. Thomas Brudenel, Mr. Beuill, Mr. Robert and John Wingefield, Mr. Forreſt, and Rayner, Benjamin Piggot, Mr. Dean of Peterborough, and others.

At the ſtairfold, ſhe pauſed to ſpeak to Melvil in our hearing, which was to this effect, "Melvil, as thou haſt been an honeſt ſervant to me, ſo I pray thee continue to my ſon, and commend me unto him. I have not impugn'd his religion, nor the religion of others, but wiſh him well. And as I forgive all that have offended me in Scotland, ſo I would that he ſhould alſo; and beſeech God, that he would ſend him his Holy Spirit, and illuminate him." Melvill's anſwer was, that he would ſo do, and at that inſtant he would beſeech God to aſſiſt him with his Spirit. Then ſhe demanded to ſpeak with her prieſt, which was denied unto her, the rather for that ſhe came with a ſuperſtitious pair of beads and a crucifix. She then deſired to have her women to help her, and upon her earneſt requeſt, and ſaying that when other gentlewomen were executed,

ecuted, ſhe had read in chronicles that they had women allowed unto them, it was permitted that ſhe ſhould have two named by herſelf, which were Mrs. Curle and Kennedy. After ſhe came to the ſcaffold, firſt, in preſence of them all, her majeſties commiſſion was openly read; and afterwards Mr. Dean of Peterborough, according to a direction which he had received, the night before, from us the earls, wou'd have made a godly admonition to her, to repent and dye well in the fear of God and charity to the world. But at the firſt entry, ſhe utterly refuſed it, ſaying that ſhe was catholique, and that it were a folly to move her, being ſo reſolutely minded, and that our prayers would little avail her. Whereupon, to the intent it might appear that we, and the whole aſſembly, had a chriſtian deſire to have her die well, a godly prayer, conceiv'd by Mr. Dean, was read and pronounced by us all. "That it would pleaſe Almighty God to ſend her his Holy Spirit and grace, and alſo, if it were his will, to pardon all her offences, and of his mercy to receive her into his heavenly and everlaſting kingdom, and finally to bleſs her majeſty, and confound all her enemies;" whereof Mr. Dean, minding to repair up ſhortly, can ſhew your lordſhips a copy.

THIS done, ſhe pronounced a prayer upon her knees to this effect, "to beſeech God to ſend her his Holy Spirit, and that ſhe truſted to receive her ſalvation in his blood, and of his grace to be received into his kingdom, beſought God to forgive her enemies, as ſhe forgave them; and to turn his wrath from this land, to bleſs the queen's majeſtie, that ſhe might ſerve him. Likewiſe to be merciful to her ſon, to have compaſſion of his church, and altho' ſhe was not worthy to be heard, yet ſhe had a confidence in his mercy, and prayed all the ſaints, to pray unto her Saviour to receive her." After this (turning towards her ſervants) ſhe deſired them to pray for her, that her Saviour would receive her. Then, upon petition made by the executioners, ſhe pardoned them; and ſaid, ſhe was glad that the end of all her ſorrows was ſo near. Then ſhe diſliked the whinning and weeping of her women, ſaying, that they rather ought to thank God for her reſolution, and kiſſing them, willed them to depart from the ſcaffold, and farewell. And ſo reſolutely kneeled down, and having a kercheff banded about her eyes, laid down her neck, whereupon the executioner proceeded. Her ſervants were incontinently removed, and order taken that

none

none ſhould approach unto her corps, but that it ſhould be embalmed by the ſurgeon appointed. And further her croſſe, apparel, and other things are retained here, are not yielded unto the executioner for inconveniences that might follow, but he is remitted to be rewarded by ſuch as ſent him hither.

THIS hath been the manner of our dealings in this ſervice, whereof we have thought good to advertiſe your lordſhips, as particularly as we could, for the time, and further have thought good to ſignify unto your lordſhips beſides, that for the avoiding of all ſiniſter and ſlanderous reports that may be raiſed to the contrary, we have cauſed a note thereof to be conceiv'd to the ſame effect in writing, which we the ſaid lords have ſubſcribed, with the hands of ſuch other there the knights and gentlemen above named that were preſent at the action. And ſo beſeeching Almighty God long to bleſs her majeſty with a moſt proſperous reign, and to confound all his, and her enemies, we take our leaves. From Fotheringay-Caſtle, the 8th of February 1586, in haſt.

Your lordſhips at commandment.

N. B. This, as well as ſeveral other papers in this Appendix, is taken from a collection made by Mr. Crawfurd of Drumſoy, hiſtoriographer to Queen Anne, now in the library of the faculty of Advocates. Mr. Crawfurd's tranſcriber has omitted to mention the book in the Cott. Lib. where it is to be found.

No. XIX. (Vol. II. p. 184.)

The objections againſt Mr. Daviſon, in the cauſe of the late Scottiſh queen, muſt concern things done either, 1. Before her trial at Fotheringay. 2. During that ſeſſion. 3. After the ſame.

1. BEFORE her trial, he neither is, nor can be charged to have had any hand at all in the cauſe of the ſaid queen, or done any thing whatſoever concerning the ſame, directly or indirectly. Cott. Lib. Calig. C. 1.

2. DURING that ſeſſion, he remained at court, where the only intereſt he had therein, was as her majeſty's ſecretary,

cretary, to receive the letters from the commiſſioners, impart them to her highneſs, and return them her anſwers.

3. AFTER the return thence, of the ſaid commiſſioners, it is well known to all her council,

1. THAT he never was at any deliberation or meeting whatſoever, in parliament, or council, concerning the cauſe of the ſaid queen, till the ſending down of her majeſty's warrant unto the commiſſioners, by the lords and others of her council.

2. THAT he was no party in ſigning the ſentence, paſſed againſt her.

3. THAT he never penned either the proclamation publiſhing the ſame, the warrant after her death, nor any other letter, or thing whatſoever concerning the ſame. And,

THAT the only thing which can be ſpecially and truly imputed to him, is the carrying up the ſaid warrant unto her majeſty to be ſigned. She ſending a great counſellor unto him, with her pleaſure to that end, and carrying it to the great ſeal of England, by her own ſpecial direction and commandment.

FOR the better clearing of which truth, it is evident,

1. THAT the letter, being penned by the lord treaſurer, was delivered by him unto Mr. Daviſon, with her majeſty's own privity, to be ready for to ſign, when ſhe ſhould be pleaſed to call for it.

2. THAT being in his hands, he retained it at the leaſt five or ſix weeks unpreſented, nor once offering to carry it up, till ſhe ſent a great counſellor unto him for the ſame, and was ſharply reproved therefor by a great peer, in her majeſty's own preſence.

3. THAT having ſigned it, ſhe gave him an expreſs commandment to carry it to the ſeal, and being ſealed to ſend it immediately away unto the commiſſioners, according to the direction. Herſelf appointing the hall of Fotheringay for the place of execution, miſliking the court-yard, in divers reſpects, and in concluſion abſolutely forbad him to trouble her any further, or let her hear any more hereof, till it was done. She, for her part, having (as ſhe ſaid) performed all that, in law or reaſon, could be required of her.

4. WHICH

4. WHICH directions notwithſtanding, he kept the warrant ſealed all that night, and the greateſt part of the next day in his hands, brought it back with him to the court, acquainted her majeſty withal, and finding her majeſty reſolved to proceed therein, according to her former directions, and yet deſirous to carry the matter ſo, as ſhe might throw the burthen from herſelf, he abſolutely reſolved to quit his hands thereof.

5. AND hereupon went over unto the lord treaſurer's chamber, together with Mr. vice-chamberlain Hatton, and in his preſence reſtored the ſame into the hands of the ſaid lord treaſurer, of whom he had before received it, who from henceforth kept it, till himſelf and the reſt of the council ſent it away.

WHICH, in ſubſtance and truth, is all the part and intereſt the ſaid Daviſon had in this cauſe, whatſoever is, or may be pretended to the contrary.

TOUCHING the ſending down thereof unto the commiſſioners, that it was the general act of her majeſty's council (as is before mentioned) and not any private act of his, may appear by,

1. THEIR own confeſſion. 2. Their own letters ſent down therewith to the commiſſioners. 3. The teſtimonies of the lords and others to whom they were directed. As alſo, 4. of Mr. Beale, by whom they were ſent. 5. The tenor of her majeſty's firſt commiſſion for their calling to the ſtar-chamber for the ſame, and private appearance and ſubmiſſion afterward inſtead thereof, before the lord chancellor Bromley. 6. The confeſſion of Mr. Attorney-general in open court confirmed. 7. By the ſentence itſelf upon record. 8. Beſides a common act of council, containing an anſwer to be verbally delivered to the Scottiſh ambaſſador then remaining here, avowing and juſtifying the ſame.

NOW where ſome ſuppoſe him to have given ſome extraordinary furtherance thereunto, the contrary may evidently appear by,

1. HIS former abſolute refuſal to ſign the band of aſſociation, being earneſtly preſſed thereunto by her majeſty's ſelf.

2. HIS excuſing of himſelf from being uſed as a commiſſioner, in the examination of Babington and his complices, and avoiding the ſame by a journey to the Bath.

3. HIS

3. His being a mean to ſtay the commiſſioners from pronouncing of the ſentence at Fotheringay, and deferring it till they ſhould return to her majeſty's preſence.

4. His keeping the warrant in his hands ſix weeks unpreſented, without once offering to carry it up, till her majeſty ſent expreſly for the ſame to ſign.

5. His deferring to ſend it away after it was ſealed unto the commiſſioners, as he was ſpecially commanded, ſtaying it all that night, and the greateſt part of the next day in his hands.

6. And finally, his reſtoring thereof into the hands of the lord treaſurer, of whom he had before received the ſame.

Which are clear and evident proofs, that the ſaid Daviſon did nothing in this cauſe whatſoever, contrary to the duty of the place he then held in her majeſty's ſervice.

Cal. C. 9.

This ſeems to be an original. On the back is this title,

The innocency of Mr. Daviſon in the cauſe of the late Scottiſh queen.

No. XX. (Vol. II. p. 287, line 3.)

Letter from ⊙, to his majeſty King James[b].

From the Original. Bibl. Fac. Jur. Edin. A. 1. 34. No. 4.

MOST worthy prince, the depending dangers upon your affectionates have been ſuch, as hath inforced ſilence in him, who is faithfully devoted to your perſon, and in due time of trial, will undergo all hazards of fortune, for the maintenance of the juſt regal rights, that, by the laws divine, of nature, and of nations, is inveſted in your royal perſon. Fall not then, moſt noble and renowned prince, from him, whoſe providence hath in many dangers preſerved you, no doubt to be an inſtrument of his glory, and the good of his people. Some ſecrets, I find, have been revealed to your prejudice, which muſt proceed from ſome ambitious violent ſpirited perſon near your majeſty in council and favour; no man in particular will I accuſe, but I am ſure it hath no found-

[b] In the former editions, I printed this as a letter from Sir Robert Cecil, but am now ſatisfied that I was miſtaken in forming this opinion. See Sir D. Dalrymple's Rem. on the Hiſt. of Scot. p. 233. As the letter is curious, I republiſh it, though I cannot pretend to ſay to which of the King's numerous correſpondents in England it ſhould be aſcribed.

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ation from any, with whom, for your ſervice, I have held correſpondence; otherwiſe, I had, long ſince, been diſabled from performance of thoſe duties, that the thoughts of my heart endeavoureth; being only known to this worthy nobleman bearer hereof, one noted in all parts of Chriſtendom for his fidelity to your perſon and ſtate, and to Mr. David Fowlis your moſt loyal ſervant, my firſt and faithful correſpondent; and unto James Hudſone, whom I have found in all things that concern you, moſt ſecret and aſſured. It may, therefore, pleaſe your majeſty, at the humble motion of ⊙, which jargon I deſire to be the indorſement of your commands unto me, that, by ſome token of your favour, he may underſtand in what terms you regard his fidelity, ſecrecy and ſervice. My paſſionate affection to your perſon (not as you are a king, but as you are a good king, and have juſt title, after my ſovereign, to be a great king) doth tranſport me to preſumption. Condemn not, moſt noble prince, the motives of care and love, altho' mixed with defects in judgment.

1. I, therefore, firſt beſeech your majeſty, that for the good of thoſe whom God, by divine Providence, hath deſtined to your charge, that you will be pleaſed to have an extraordinary care of all practicers or practices, againſt your perſon; for it is not to be doubted, but that in both kingdoms, either out of ambition, faction, or fear, there are many that deſire to have their ſovereign in minority, whereby the ſovereignty and ſtate might be ſwayed by partiality of ſubalternate perſons, rather than by true rule of power and juſtice. Preſerve your perſon, and fear not the practices of man upon the point of your right, which will be preſerved and maintained againſt all aſſaults of competition whatever. Thus I leave the protection of your perſon, and royal poſterity, to the Almighty God of Heaven, who bleſs and preſerve you and all yours, in all regal happineſs to his glory.

2. NEXT to the preſervation of your perſon, is the converſation and ſecret keeping of your councells, which, as I have ſaid, are often betrayed and diſcovered, either out of pretended zeal in religion, turbulent faction, or baſe conception, the which your majeſty is to regard with all circumſpection, as a matter moſt dangerous to your perſon and ſtate, and the only means to ruin and deſtroy all thoſe that ſtand faithfully devoted to your majeſty's ſervice. Some particulars, and perſons of this nature, I make no doubt have been diſcovered by the endeavours of

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this nobleman, the bearer hereof, of whom your majeſty may be further informed.

3. The third point conſiderable is that your majeſty, by all means poſſible, ſecure yourſelf of the good affection of the French King and States, by the negociation of ſome faithful ſecret confident; the French naturally diſtaſting the union of the Britiſh iſlands under one monarch. In Germany, I doubt not, but you have many allies and friends, but by reaſon of their remote ſtate, they do not ſo much importe this affair, which muſt be guided by a quick and ſudden motion.

4. When God, by whoſe Providence, the period of all perſons and times is determined, ſhall call to his kingdom of glory her majeſty (although I do aſſuredly hope that there will not be any queſtion in competition, yet for that I hold it not fitting to give any minute entrance into a cauſe of ſo high a nature), I do humbly beſeech your majeſty to deſign a ſecret, faithful, and experienced confident ſervant of yours, being of an approved fidelity and judgment, continually to be here reſident, whoſe negociation, it were convenient your majeſty ſhould fortifie, with ſuch ſecret truſt and powers, as there may not need 14 days reſpite, to poſt for authority, in a cauſe, that cannot endure 10 hours reſpite, without varieties of danger. In the which it is to be conſidered, that all ſuch as pretend leaſt good to your eſtabliſhment, will not in public oppugn your title, but out of their cunning ambition will ſeek to gain time, by alledging their pretence of common good to the ſtate, in propounding of good conditions for diſburthening the common weale, of divers hard laws, heavy impoſitions, corruptions, oppreſſions, &c. which is a main point to lead the popular, who are much diſguſted with many particulars of this nature. It were therefore convenient, that theſe motives, out of your majeſty's providence, ſhould be prevented, by your free offer in theſe points following, viz.

1. That your majeſty would be pleaſed to aboliſh purveyors and purveyance, being a matter infinitely offenſive to the common people, and the whole kingdom, and not profitable to the prince.

2. That your majeſty would be pleaſed to diſſolve the court of wards, being the ruin of all the noble and ancient families of this realm, by baſe matches, and evil education of their children, by which no revenue of the crown will be defrayed.

3. The

3. THE abrogating the multiplicity of penal laws, generally repined againſt by the ſubject, in regard of their uncertainty, being many times altered from their true meaning, by variety of interpretations.

4. THAT your majeſty will be pleaſed to admit free outport of the native commodities of this kingdom, now often reſtrained by ſubalternate perſons for private profit, being moſt prejudicial to the commerce of all merchants, and a plain deſtruction to the true induſtry and manufacture of all kingdoms, and againſt the profit of the crown.

THESE, being by your majeſty's confidents in the point of time propounded, will aſſuredly confirm unto your majeſtie the hearts and affections of the whole kingdom, and abſolutely prevent all inſinuations and devices of deſigned patriots, that, out of pretext of common good, would ſeek to patronize themſelves in popular opinion and power, and thereby to derogate from your majeſty's bounty and free favour, by princely merit of your moderation, judgment and juſtice.

YOUR majeſty's favour, thus granted to the ſubject, will no way impeach the profits of the crown but advance them. The diſproportionable gain of ſome chequer officers, with the baſe and mercenary profits of the idle unneceſſary clerks and attendants, will only ſuffer ſome detriment; but infinite will be the good unto the kingdom, which will confirm unto your majeſty the univerſal love and affection of the people, and eſtabliſh your renown in the higheſt eſteem to all poſterity.

THE Lord preſerve your majeſtie, and make you triumphant over all your enemies.

MY care over his perſon, whoſe letters paſs in this pacquet, and will die before he leave to be yours, ſhall be no leſs than of mine own life, and in like eſteem I will hold all your faithful confidents, notwithſtanding I will hold myſelf reſerved from being known unto any of them, in my particular devoted affections unto your majeſty, only this extraordinary worthy man, whoſe aſſociate I am in his misfortune, doth know my heart, and we both will pray for you, and if we live you ſhall find us together.

I BESEECH your majeſty burn this letter, and the others; for altho' it be in an unuſual hand, yet it may be diſcovered.

Your majeſty's moſt devoted,
and humble ſervant,

☞ *The following* Note *having been omitted,* page 44. line 19. *is inſerted here.*

to rouſe and inflame.] A ſtriking deſcription of that ſpecies of eloquence for which Knox was diſtinguiſhed, is given by one of his contemporaries, Mr. James Melville, Miniſter of Anſtruther. " But of all the benefites I had that year [1571], was the coming of that moſt notible prophet and apoſtle of our nation, Mr. John Knox, to St. Andrews, who, by the faction of the Queen occupying the caſtle and town of Edinburgh, was compelled to remove therefra with a number of the beſt, and chuſed to come to St. Andrews. I heard him teach there the prophecies of Daniel that ſummer and the winter following. I had my pen and little buik, and took away ſic things as I could comprehend. In the opening of his text, he was moderat the ſpace of half an hour; but when he entered to application, he made me ſo to *grue* [thrill] and tremble, that I could not hald the pen to write.—He was very weak. I ſaw him every day of his doctrine go *hulie* [ſlowly] and fair, with a furring of marticks about his neck, a ſtaff in the one hand, and good godlie Richart Ballanden holding him up by the oxter [under the arm] from the abbey to the pariſh kirk; and he the ſaid Richart and another ſervant lifted him up to the pulpit, where he behoved to lean at his firſt entrie; but e're he was done with his ſermon, he was ſo active and vigorous, that he was like to *ding the pulpit in blads* [beat the pulpit to pieces], and fly out of it." MS. Life of Mr. James Melville, belonging to Mr. Paton of the Cuſtom-houſe, Edinburgh, p. 14, 21.

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